

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

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Loretta Lovell

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Tim Aitken

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TOPIC:

Designations

PREPARED BY:

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REPORT DATED:

23 November 2022

DATE OF HEARING:

14 – 16 December 2022

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Appendix A – All designations to be rolled over without modification

Appendix B - Summary of Recommended Responses to Submissions and Further Submissions

List of Requiring Authorities as they appear in the Plan

Acronym	Requiring Authority
CHBDC	Central Hawke's Bay District Council
CNZ	Chorus New Zealand Limited
FGL	First Gas Limited
HBRC	Hawke's Bay Regional Council
KRH	KiwiRail Holdings Limited
KL	Kordia Ltd
MCOU	Minister for Courts
MEDU	Minister of Education
MPOL	Minister of Police
NZTA	Waka Kotahi NZ Transport Agency
SPK	Spark New Zealand Trading Limited
TPR	Transpower New Zealand Limited

List of Submitters and Further Submitters addressed in this Report

Submitter Name	Submission Number(s)
Alan Delugar	S20
Ministry of Education	S73
Waka Kotahi	S78
Transpower New Zealand Ltd	S79
Chorus New Zealand Ltd	S117
Spark New Zealand Trading Limited	S118
Heretaunga Tamatea Settlement Trust	S120

Further Submitter Name	Further Submission Number(s)
Royal Forest and Bird Protection Society of New Zealand Inc	FS9
The Ministry of Education	FS11

1.0 Introduction

1.1 Qualifications and Experience

- 1.1.1 My name is Alison Francis.
- 1.1.2 I have 18 years of experience as a planner both in New Zealand and the United Kingdom.
- 1.1.3 I hold the qualification of a Bachelor of Planning (First Class Honours) Degree and a Master of Planning (Second Class Honours) Degree from The University of Auckland. I have been a Full Member of the New Zealand Planning Institute since 2019.
- 1.1.4 I am familiar with, and experienced in, the processing of resource consents, the preparation of resource consent applications and the processing of notices of requirement. I have given expert planning evidence at local authority hearings and been involved with Environment Court mediation.
- 1.1.5 I am familiar with the Central Hawke's Bay environment, having worked as the Council's Customer and Consents Manager from March 2018 – March 2020.
- 1.1.6 I am now the Director of my own planning consultancy, Bay Planning Ltd, preparing resource consent applications and assisting Council's with the processing of consent applications. I also facilitate pre-hearing meetings and expert conferences for the Hawke's Bay Regional Council and Central Hawke's Bay District Council (CHBDC).
- 1.1.7 My previous experience with the CHBDC Proposed District Plan (PDP) has been to undertake a review of the plan against the National Planning Standards, report produced January 2021.

1.2 Code of Conduct

- 1.2.1 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014, and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.2.2 I am authorised to give this evidence on the Council's behalf to the Proposed District Plan Hearings Commissioners.

1.3 Conflict of Interest

- 1.3.1 I confirm that I have no real or perceived conflict of interest.

1.4 Preparation of this Report

- 1.4.1 My role in preparing this report is to assess all submissions and related evidence in respect to designations in the Designations Section of the PDP and make recommendations to the hearings commissioners.
- 1.4.2 The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence.
- 1.4.3 No formal pre-hearing meetings concerning submissions covered by this evidence have been undertaken pursuant to clause 8AA of Schedule I of the RMA.
- 1.4.4 The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2.0 Scope of Report

2.1 Matters addressed by this Report

- 2.1.1 This report is prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA). I address requests from requiring authorities for designations included in the PDP. These include requests for existing designations to be rolled over, with or without modification, and for new designations through a notice of requirement process.
- 2.1.2 My evidence also evaluates submissions and further submissions relating to NORs contained within the CHBPDP. I have addressed these matters as per the order of the requiring authorities listed in the Designations Section of the PDP.

2.2 Overview of the Topic

- 2.2.1 The Designation Chapter of the PDP contains all designations within the Central Hawke's Bay District, set out in alphabetical order of the requiring authorities. Each section describes the designations held by each requiring authority and includes a table showing each designation number, the designation purpose, site and legal descriptions and, where relevant, a measurement of the designated area.
- 2.2.2 All designations are annotated on the planning maps by way of an identifier specific to each requiring authority and designation number (e.g. CHBDC-1). The underlying zone shown on the planning map applies to any other activities that are for a purpose different to the designation purpose (or activities undertaken by a party other than the requiring authority) under section 176 of the RMA.

2.3 Statutory Requirements

- 2.3.1 A designation is defined in the RMA as:

*S166: **designation** means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or section 168A or clause 4 of Schedule 1.*

- 2.3.2 **Requiring Authority** is defined in the RMA as:

S166: requiring authority means –

A minister of the Crown; or

A local authority; or

A network utility operator approved as a requiring authority under section 167.

- 2.3.3 Quality Planning (qualityplanning.org.nz) describes a **designation** as:

A designation is a planning technique used by Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under s167 of the RMA. Only requiring authorities can seek designations for land.

Historically, designations enabled central and local government to get planning authorisation for public works and protected land for future public works. Requiring authorities can only make a designation where they are financially responsible for the project, work, or operation on the designated land and where the Minister is satisfied it is appropriate for the requiring authority to control approvals on the land.

A designation has a similar effect to a plan change establishing a permitted activity as it:

- *Identifies the land affected in the district plan*
- *Enables a requiring authority to undertake the works within the designated area without the need for a land use consent.*
- *Sets the parameters under which the activity can occur.*

The designated area is still subject to any restrictions on land use under s9 (excluding subsection (3)) and in relation to air, water, and the coastal marine area as contained in section 12-15. Relevant Regional Council resource consents may be needed in relation to a project or work.

A designation restricts anyone other than the requiring authority from carrying out work on the designated land that will prevent or hinder the project or work to which the designation relates, without first obtaining the requiring authority's permission (ref s176(b)).

Designations apply to district plans (and combined plans with a district component) and proposed district plans only. The 'underlying zone' of the district plan remains over the site and applies to any other activities that are for a purpose different to the designation purpose (or activities undertaken by a party other than the requiring authority) under s176. Therefore, any activity or works outside the scope of a designation will require resource consent unless the activity or works are a permitted activity within the underlying zone.

Notices of requirements (notices for new designations) can be processed in two main ways, either by themselves in a way similar to a comprehensive resource consent or as part of a proposed district plan.

DESIGNATIONS IN THE PROPOSED PLAN

- 2.3.4 As discussed above, cl 4, First Schedule RMA sets out a procedure for including existing (referred to as 'rolled over') and new designations in the PDP before it is notified. There are four classes of requirements for designations included:
- 2.3.5 1: Notices of Requirement for new designations
- 2.3.6 First Gas, Ministry of Education and Central Hawke's Bay District Council have lodged requirements for new designations as part of the PDP process. This has required them to submit a notice of requirement (NOR) in terms of s168 (for non-territorial authority requiring authorities) and 168A (for the territorial authority itself) of the RMA. These were included in the PDP under cl 4(5) First Schedule, RMA and the Panel must make recommendations on them in accordance with cl 9(1) or (2) as relevant. That test is discussed below.
- 2.3.7 2: Notices of Requirement for Rollover designations with modifications or submissions
- 2.3.8 Many requiring authorities have requested that their existing designations from the Operative District Plan be included in the Proposed District Plan with modifications. For these requirements, and for any designation on which a submission has been made (whether or not the requirement included modifications), the Panel must consider and make recommendations in accordance with cl 9(1) or (2) as relevant. That test is discussed below.
- 2.3.9 3: Notices of requirement for Rollover designations with no modifications or submissions
- 2.3.10 For designations that requiring authorities have asked to be rolled over without modification, and where no submissions have been received on them, clause 9(3) in Schedule I of the RMA applies. The Council is not able to make changes to them in its recommendations (under s171) or its decisions (under s168A(3)). Accordingly, these designations are listed in this report in Appendix 1 but I make no further assessment of them.
- 2.3.11 4: Notices of requirement for designations which have been withdrawn
- 2.3.12 For several NORs, it was concluded at the assessment stage that there was insufficient information provided with the notice of requirement to allow assessment and therefore a recommendation to confirm the NOR. Following discussion with the relevant requiring authority, it was advised these would be withdrawn. The notices of requirement which have been withdrawn and on which no recommendation is therefore required are:
- Kairakau (closed) Landfill CHBDC-24
 - Proposed Kairakau Water Supply Source CHBDC-67

REQUIREMENTS FOR ASSESSMENT OF NOTICES OF REQUIREMENT AND ROLL-OVER DESIGNATIONS

2.3.13 In this case, the notices of requirement are being processed through the PDP. The relevant requirement for assessment of notices of requirement through the PDP is set out in cl 9, First schedule, RMA, as follows:

9 Recommendations and decisions on requirements

- (1) *The territorial authority shall make and notify its recommendation in respect of any provision included in the proposed district plan under clause 4(5) to the appropriate authority in accordance with section 171 or section 191.*
- (2) *The territorial authority shall make its decision on provisions included in the proposed district plan under clause 4(6) in accordance with section 168A(3) or section 189A(3), as the case may be.*
- (3) *Nothing in this clause shall allow the territorial authority to make a recommendation or decision in respect of any existing designations or heritage orders that are included without modification and on which no submissions are received.*

2.3.14 Clause 9(1) applies to notices of requirement made by requiring authorities that are not Council, and requires the Panel to consider the requirement against s 171 RMA, which provides as follow:

S171 Recommendation by territorial authority

- (1A) *When considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition.*
- (1) *When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to -*
 - (a) *Any relevant provisions of-*
 - i. *A national policy statement:*
 - ii. *A New Zealand coastal policy statement:*
 - iii. *A regional policy statement or proposed regional policy statement:*
 - iv. *A plan or proposed plan; and*
 - (b) *Whether adequate consideration has been given to alternative sites, routes, or methods or undertaking the work if –*
 - i. *The requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 - ii. *It is likely that the work will have a significant adverse effect on the environment; and*
 - (c) *Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
 - (d) *Any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement.*
- (1B) *The effects to be considered under subsection (1) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the requirement, as long as those effects result from measures proposed or agreed to by the requiring authority.*
- (2) *The territorial authority may recommend to the requiring authority that it-*
 - (a) *Confirm the requirement:*
 - (b) *Modify the requirement:*
 - (c) *Impose conditions:*
 - (d) *Withdraw the requirement.*

(2A) However, if the requiring authority is the Minister of Education or the Minister of Defence, the territorial authority may not recommend imposing a condition requiring a financial contribution (as defined in section 108(9)).

(3) The territorial authority must give reasons for its recommendation under subsection (2).

2.3.15 Clause 9(2) applies to notices of requirement made by Council as requiring authority, and requires the Panel to consider the requirement against s168A(3) RMA, which provides as follows:

S168A Notice of Requirement by Territorial Authority

....

(3) When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to -

- (a) Any relevant provisions of-
 - i. A national policy statement:
 - ii. A New Zealand coastal policy statement:
 - iii. A regional policy statement or proposed regional policy statement:
 - iv. A plan or proposed plan; and
- (b) Whether adequate consideration has been given to alternative sites, routes, or methods or undertaking the work if –
 - i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or
 - ii. It is likely that the work will have a significant adverse effect on the environment; and
- (c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
- (d) Any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement.

(3A) The effects to be considered under subsection (3) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the requirement, as long as those effects result from measures proposed or agreed to by the requiring authority.

(4) The territorial authority may decide to –

- (a) Confirm the requirement:
- (b) Modify the requirement:
- (c) Impose conditions:
- (d) Withdraw the requirement.

(5) Sections 173, 174, and 175 apply, with all necessary modifications, in respect of a decision made under subsection (4).

2.3.16 My assessment of each requirement applies the relevant provisions of the RMA, and this informs my recommendation to the Hearings Panel.

2.4 Procedural Matters

2.4.1 CHBDC followed the below process for the consideration of designations and their inclusion within the PDP.

Action	Date
Written notice given to requiring authorities by Council under Schedule 1, cl4(1A)	11 July 2019
Notices from Requiring Authorities under Schedule 1, cl(3) received	CHBDC – Last ones received/updated 16 April 2021 Chorus/Spark – 2 Sept 2019 First Gas – 24 May 2021 HBRC – 6 Sept 2019 KiwiRail – 28 August 2019 Kordia 31 Oct 2019 MCOU – 21 Oct 2019 MEDU – 4 Oct 2019, Te Aute NOR 15 April 2021 MPOL – 17 Sept 2019 NZTA – 24 Sept 2019 TPR – 4 Sept 2019
Neighbouring properties of new designations (First Gas and Ministry of Education) contacted via letter	3 May 2021
Submission period ends	6 August 2021
Further neighbours contacted for changes to a number of CHBDC designations and new Notices of Requirement	10 June 2021
Submission period for further neighbour engagement ends	6 August 2021

- 2.4.2 When reviewing the District Plan, Schedule 1, Clause 4 of the RMA requires Council to invite requiring authorities that have an existing designation in their district to give written notice, stating whether the requiring authorities require Council to include the designation in the proposed plan, with or without modification. Requiring authorities are given 30 working days to respond to Council's invitation, otherwise the designation shall not be included in the PDP.
- 2.4.3 Council sent written notification to all affected Requiring Authorities on 11 July 2019. In addition to sending the standard public notice of the PDP to all landowners in the District, Council sent individual letters to landowners immediately adjoining the First Gas NOR and the Ministry of Education NOR for Te Aute College. These letters contained a summary of the new designation sought, in order to assist these landowners, and provided a link to the full NOR on the Council's website, along with information as to how to submit.
- 2.4.4 Following the receipt of CHBDC's (as requiring authority) request for existing and proposed designations, Council undertook some consultation with specific landowners that it considered to be affected by the NOR requests. These landowners have been identified in the analysis of the CHBDC NOR later in this report.
- 2.4.5 In respect of the NORs from Chorus, Hawke's Bay Regional Council, KiwiRail Holdings Ltd, Kordia Ltd, Minister for Courts, Minister of Police, Waka Kotahi New Zealand Transport Agency, Spark NZ and Transpower, no letters were sent to any specific landowners as it was considered that these designations are all in place currently and no modifications to the physical structures on site or boundaries were proposed, apart from some cadastral boundary modifications for NZTA and KiwiRail to update historic errors in the planning maps.
- 2.4.6 As explained above in section 2.3.11, clause 9(3) in Schedule 1 of the RMA does not allow Council to make a recommendation or decision in respect of existing designations that are included in the PDP without modification, and on which no submissions were received.

Therefore, all designations listed in Appendix 1 of this report are to be included in the PDP without further formality.

- 2.4.7 In relation to the new and modified/submitted on designations, the Panel will make a recommendation to the Council as to:
- (a) In the case of CHBDC's designations, whether the designation should be confirmed, modified, have conditions imposed, or be withdrawn;
 - (b) In the case of designations for all other requiring authorities, whether Council should recommend to the requiring authorities that the designation should be confirmed, modified, have conditions imposed, or be withdrawn. The requiring authority then has 30 working days from the date of notification of the Council's recommendation as to whether to accept or reject it. The requiring authority may modify the requirement only if that is recommended by the Council (in its recommendation) or is not inconsistent with the requirement as notified. If the requiring authority rejects the recommendation in whole or in part, or modifies the requirement, they shall give reasons for its decision.

3.0 Consideration of Submissions Received

3.1 Overview of Submissions

- 3.1.1 Thirteen submissions were received on designations and notices of requirement included in the PDP. These included requests to amend designations and to support proposed designations.
- 3.1.2 No submissions were received that opposed the inclusion of the designations outright. My analysis and recommendations on the submissions are set out below in relation to the designation to which the submission relates.

3.2 Structure of this Report

- 3.2.1 The following sections of the report are arranged by requiring authority.

4.0 Central Hawke's Bay District Council

4.1 CHBDC – PDP, as notified, included these designations

4.1.1 The PDP, as notified, included the following roll-over designations and notices of requirement for new designations for which Central Hawke's Bay District Council is the requiring authority. The Status column in the table below identifies whether the designation is new or rolled over). The majority involved no modification and received no submission and therefore do not require further consideration. Those that require consideration are identified by a ✓ in the table:

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
-	Local Roads	Roading	All local roads	-	N/A	Rollover with no modifications. No submissions received.	
CHBDC-1	Reserve – Abbotsford Domain	Reserve	88 High Street, Waipawa	3.251ha	Lot 2 DP 535667	Rollover – formerly designation #142. No submissions received.	
CHBDC-2	Reserve – A'deane Park	Reserve	2 Wallace Road, Waipukurau	5912m ²	Pt Lot 1 DP 2046	Rollover – formerly designation #137. No submissions received.	
CHBDC-3	Aramoana Esplanade Reserve	Reserve	Aramoana Beachfront	1.51ha	Lot 2 DP 25261	Rollover – formerly designation #130. No submissions received.	
CHBDC-4	Argyll Hall	Community Hall	373 The Brow Road, Argyll	5007m ² (total site area) designate d site shown as less on Maps.	Blk II Waipukurau SD Lot 1 Sec 5	Rollover – formerly designation #19. No submissions received.	
CHBDC-5	Ashley Clinton Cemetery	Cemetery	324 Mill Road, Ashley Clinton	4148m ²	Lot 1 DP 6308	Rollover – formerly designation #7. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-6	Blackhead Beach Esplanade Reserve	Esplanade Reserve	22 McHardy Place, Blackhead Beach	5971m ²	Lot 19 DP 10295	Rollover – formerly designation #160. No submissions received.	
CHBDC-7	Bush Drain	Stormwater Drainage Reserve	Various	-	Various	New Designation. NOR received as part of CHBDC PDP. One submission in opposition received.	✓
CHBDC-8	Council offices and Civil Defence Emergency Management Operations	Council Offices and Civil Defence Emergency Management Operations	28-32 Ruataniwha Street, Waipawa	3232m ²	Lot 5 DP 433593	Rollover – formerly designation #49 & #50. No submissions received.	
CHBDC-9	Community Hall	Community Hall	17 Kenilworth Street, Waipawa	1522m ²	Lot 5 DP 25013	Rollover – formerly designation #47. Modifications proposed. No submissions received.	✓
CHBDC-10	Coronation Park	Reserve	1 Tikokino Road, Waipawa	10.55ha	Part DP 2404	Rollover – formerly designation #146. Modifications proposed. No submissions received.	✓
CHBDC-11	District Landfill	Landfill	Farm Road	-	Lot 1 DP 26414	Rollover – formerly designation #109. No submissions received.	
CHBDC-12	Don Allan Reserve	Reserve	22 Church Street, Waipawa	809m ²	Lot 2 DP 520310	Rollover – formerly designation #143. Modifications proposed. No submissions received.	✓
CHBDC-13	Elsthorpe Cemetery	Cemetery	2629 Kahuranaki Road, Elsthorpe	8093m ²	Section 54 Block VII Oero SD	Rollover – formerly designation #28. No submissions received.	
CHBDC-14	Elsthorpe Hall	Community Hall	7 Kenderdine Road, Elsthorpe	2428m ²	Section 16 Block VII Oero SD	Rollover – formerly designation #76. No submissions received.	
CHBDC-15	Elsthorpe Reserve	Reserve	Elsthorpe Road	17ha	Section 32 Block VII Oero SD	Rollover – formerly designation #161. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-16	Forest Gate Cemetery	Cemetery	82 Blackburn Road, Ongaonga	1.22ha	Section 17 Block VIII Ruataniwha SD	Rollover – formerly designation #10. No submissions received.	
CHBDC-17	Forest Gate Domain	Reserve	1647 State Highway 50, Ongaonga	42ha	Section 32 Block VIII Ruataniwha SD	Rollover – formerly designation #122. No submissions received.	
CHBDC-18	Hampden Cemetery	Cemetery	16 Holden Road, Tikokino	1687m ²	Part Agricultural Section 38 Hampden	Rollover – formerly designation #67. No submissions received.	
CHBDC-19	Harris Stret Sewage Pumping Station	Sewage Pumping Station	10 Harris Street, Waipukurau	-	Road Reserve	New designation. NOR received as part of CHBDC PDP. No submissions received.	✓
CHBDC-20	High Street Car Park Reserve	Reserve	29 High Street, Waipawa	2554m ²	Park Blk 46 Patangata CGD, Section 41 Block XI Waipukurau SD, Section 40 Block XI Waipukurau SD, Section 32 Block XI Waipukurau SD, Park Blk 46 Patangata CGD, Section 1 SO 10089, Lot 1 DP 4866, Lot 1 DP 4878, Lots 1-3 DP 7516 & Lot 3 DP 535.	Rollover – formerly designation #139. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-21	Holt Porritt Reserves	Reserve	14 Holt Place, Waipukurau	4310m ²	Lot 12 DP 18963, Lot 37 DP 19695 & Lot 4 DP 17718	Rollover – formerly designation #140. No submissions received.	
CHBDC-22	Hunter Park Reserve	Water Storage	38A Nelson Street, Waipukurau	1132m ²	Lot 2 DP 9087	Rollover – formerly designation #37. No submissions received.	
CHBDC-23	Kairakau Beachfront Reserve	Reserve	3 Kairakau Beach Road, Kairakau Beach	-	-	Rollover – formerly designation #124. No submissions received.	
CHBDC-24	Kairakau (closed) landfill	Closed Landfill	Kairakau Road	-	Part Kairakau 1A Sec 3 Blk IV Waimarama SD	New designation. NOR received as part of CHBDC PDP. No submissions received.	Withdrawn
CHBDC-25	Kairakau Reserve	Reserve	21 Kairakau Beach Road, Kairakau Beach	2.08ha	Lot 23 DP 10063	Rollover – formerly designation #123. No submissions received.	
CHBDC-26	Kairakau Toilet	Public Toilet	Kairakau Beach Road, Kairakau Beach	-	-	Rollover – formerly designation #176. No submissions received.	
CHBDC-27	Kairakau Water Supply Intake and Reservoirs	Water supply intake and reservoirs	Kairakau Beach Road, Kairakau Beach	-	Lot 23 DP 10063, Lot 29 DP 20914, Lot 1 DP 430751, Lot 30 DP 20914 & Kairakau 2C5B4 Block ML 429387	Rollover – formerly designation #29. No submissions received.	
CHBDC-28	Kapiti Place Reserve	Reserve	5 Kapiti Place, Kairakau Beach	3479m ²	Lot 29 DP 20914	Rollover – formerly designation #162. No submissions received.	
CHBDC-29	Loten Park	Reserve	38A Bibby Street, Waipawa	8632m ²	Lot 10 DO 10341	Rollover – formerly designation #147. No submissions received.	
CHBDC-30	Mackie Street Reserve	Reserve	9A Mackie Street, Waipukurau	7884m ²	Lot 28 DP 9663	Rollover – formerly designation #138. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-31	Madge Hunter Park	Reserve and Community Pool	27 Harker Street, Waipawa	7343m ²	Part Section 54 Blk XI Waipukurau SD	Rollover – formerly designation #51. Modifications proposed. No submissions received.	✓
CHBDC-32	Makaretu Cemetery	Cemetery	127 Clinton-Makaretu Road, Makaretu	4438m ²	Lot 1 DP 10037 & Lot 1 DP 113	Rollover – formerly designation #5. No submissions received.	
CHBDC-33	Mangakuri Reserve	Reserve	Okura Road, Mangakuri	8.226ha	Lot 31 DP 17304	Rollover – formerly designation #158. No submissions received.	
CHBDC-34	Mangatarata Road Supplementary Water Tank	Supplementary Water Tank	Mangatarata Road, Waipukurau	-	-	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-35	McGreevy Street Sewage Pumping Station	Sewage Pumping Station	17A McGreevy Street, Waipawa	1.758ha	Lot 2 DP 23376	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-36	Meta Street Sewage Pumping Station	Sewage Pumping Station	Corner of Meta Street and St Clair Street, Takapau	-	-	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-37	Nelly Jull Park	Reserve	2 Islington Drive, Waipawa	6815m ²	Lot 2 DP 23677	Rollover – formerly designation #145. Modifications proposed. No submissions received.	✓
CHBDC-38	Omakere Hall	Community Hall	2169 Pourerere Road, Omakere	5476m ²	Lot 11 DP 1777	Rollover – formerly designation #76. No submissions received.	
CHBDC-39	Ongaonga Hall	Community Hall	32-34 Bridge Street, Ongaonga	1643m ²	Lot 5 Deeds 77	Rollover – formerly designation #57. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-40	Ongaonga (closed) landfill	Closed Landfill	Corner Highway 50 & Blackburn Road	1.68ha	Section 4 Block XI Ruataniwha SD	Rollover – formerly designation #11. No submissions received.	
CHBDC-41	Ongaonga Museum	Reserve and Museum	85-87 Bridge Street, Ongaonga	2023m ²	Lot 1 DP 25741 (and road reserve on paper road – Newman Street)	Rollover – formerly designation #163. No submissions received.	
CHBDC-42	Ongaonga War Memorial	Reserve and Memorial	1 Bridge Street, Ongaonga	6097m ²	Lots 10 – 15 Deeds 316	Rollover – formerly designation #152. No submissions received.	
CHBDC-43	Otāne Cemetery	Cemetery	720 State Highway 2, Otāne	5811m ²	Part Section 54 SO 9731	Rollover – formerly designation #17. No submissions received.	
CHBDC-44	Otāne old library and War Memorial	Memorial	32 Higginson Street, Otāne	597m ²	Lot 2 DP 415203	Rollover – formerly designation #54. No submissions received.	
CHBDC-45	Otāne Old School reserve	Reserve	66 Higginson Street, Otāne	3013m ²	Part Lot 1 DP 11995	Rollover – formerly designation #55. Modifications proposed. No submissions received.	✓
CHBDC-46	Otāne playground	Reserve	2 Campbell Street, Otāne.	695m ²	Lot 2 DP 22963	Rollover – formerly designation #150. Modifications proposed. No submissions received.	✓
CHBDC-47	Otāne Recreation Ground	Reserve	28 Rochfort Street, Otāne	3.13ha	Lots 13-15 Deeds 374	Rollover – formerly designation #149. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-48	Otāne Reservoir	Water Storage	828 State Highway 2, Otāne	41.2ha	Section 1 SO 10036	Rollover – formerly designation #18. No submissions received.	
CHBDC-49	Otāne Sewage Treatment Plant	Sewage Treatment and Oxidation Pond	56 Lawrence Street, Otāne	9918m ²	Lot 1 DP 20968	Rollover – formerly designation #56. No submissions received.	
CHBDC-50	Otāne Town Hall and Reserve	Community Hall	27-29 Higginson Street, Otāne	1576m ²	Lot 86A Deeds 15	Rollover – formerly designations #53 & #148. No submissions received.	
CHBDC-51	Otawhao Hall	Community Hall	258 School Road, Otawhao	4575m ²	Section 32 Block II Takapau SD	Rollover – formerly designation #31. No submissions received.	
CHBDC-52	Ouepoto Beach Domain	Reserve	689 Gibraltar Road, Aramoana Beach	4.95ha	Lot 1 DP 12563	Rollover – formerly designation #129. No submissions received.	
CHBDC-53	Pa(h) Flat Stormwater Drain	Stormwater Drainage Reserve	26 Mt Herbert Road, Waipukurau	-	Various	Rollover – formerly designation #42. Modifications proposed. No submissions received.	✓
CHBDC-54	Paul Hunter Memorial Park	Reserve	38A Nelson Street, Waipukurau	21,882m ²	Lots 1-2 DP 2255, Pt Lot 24 DP 2255, Lot 1 DP 2633, Lot 1 DP 2204, Lots 9-12 DP 4742, Pt Lot 8 DP 4742 & Pt Lot 7 DP 4742	Rollover – formerly designation #134. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-55	Pioneer Corner	Reserve	Corner Mt Herbert Road and Tavistock Place, Waipukurau	940m ²	Part Lot 24 DP 169	Rollover – formerly designation #136. No submissions received.	
CHBDC-56	Porangahau and Te Paerahi Pumping Station and Treatment Plant	Water Pumping Station and Treatment Plant	425A-B Beach Road, Te Paerahi	1447m ²	Section 1 SO 547957 & Lot 1 DP 361566	Rollover – formerly designation #72. No submissions received.	
CHBDC-57	Porangahau Cemetery	Cemetery	31 Keppel Street, Porangahau	2035m ²	Town Section 218 Porangahau	Rollover – formerly designation #62. No submissions received.	
CHBDC-58	Porangahau (closed) landfill	Closed Landfill	-	9195m ²	Section 7 Block XII Porangahau SD	Rollover – formerly designation #63. No submissions received.	
CHBDC-59	Porangahau Hall and War Memorial	Community Hall and Memorial	15 Abercromby/3-7 Keppel Street	3996m ²	Town Section 50-53 Porangahau	Rollover – formerly designation #61. Modification requested. No submissions received.	✓
CHBDC-60	Porangahau Reservoir	Water Storage	902 Old Hill Road, Porangahau	733m ²	Lot 4 DP 410062	Rollover – formerly designation #35. No submissions received.	
CHBDC-61	Porangahau River Reserve	Reserve	South Side of Porangahau River	-	-	Rollover – formerly designation #156. No submissions received.	
CHBDC-62	Porangahau Sewage Treatment Plant	Sewage treatment and oxidation pond	2 Jones Street, Porangahau	1.0177ha	Lot 1 DP 20711	Rollover – formerly designation #65. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-63	Porangahau Transfer Station	Transfer Station	Porangahau Road, Porangahau	2.09ha	Lot 1 DP 14691	Rollover – formerly designation #167. No submissions received.	
CHBDC-64	Pourerere Domain	Reserve	Pourerere Beach Road, Pourerere	-	Sections 1,2 & 3 SO 497690	Rollover – formerly designation #159. No submissions received.	
CHBDC-65	Pourerere Water Supply Intake	Water Supply Intake	Pourerere Domain	-	Section 3 SO 497690	Rollover – formerly designation #77. No submissions received.	
CHBDC-66	Pourerere Water Supply Source and Tanks	Water supply source and storage	182 Gibraltar Road, Pourerere	-	Part Lot 1 DP 3762	Rollover – formerly designation #171. No submissions received.	
CHBDC-67	Proposed Kairakau Water Supply Source	Proposed Water Supply Source	Te Apiti Road, Kairakau	-	Road Reserve	New designation. NOR received as part of CHBDC PDP process. No submissions received.	Withdrawn
CHBDC-68	Public Parking	Public Parking	Kitchener Street, Waipukurau	685m ²	Lot 2 DP 19388	Rollover – formerly designation #151. No submissions received.	
CHBDC-69	Redwood Drive Reserve	Reserve	1 Redwood Drive, Waipukurau	2911m ²	Lot 1 DP 16420	Rollover – formerly designation #141. No submissions received.	
CHBDC-70	Redwood Drive Sewage Pumping Station	Sewage Pumping Station	4 Redwood Drive, Waipukurau	-	Road reserve	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-71	Ruataniwha Memorial	Memorial	6 Swamp Road, Waipawa	788m ²	Section 41 Block X Waipukurau SD	Rollover – formerly designation #12. No submissions received.	
CHBDC-72	Ruataniwha Water Storage Scheme Distribution System.	Ruataniwha Water Storage Scheme – Primary Distribution System (Zones A-D)	Various	-	-	Rollover, no formal designation ID. Lapse date: 20/12/2026 Conditions included. 1 submission received.	✓
CHBDC-73	Russell Park	Reserve	10 River Terrace, Waipukurau	4.39ha	Lot 2 DP 17698	Rollover – formerly designation #135. No submissions received.	
CHBDC-74	St Peter's Cemetery (Closed) reserve	Reserve and closed Cemetery	5A Church Street, Waipawa	1381m ²	Lot 1 DP 15100	Rollover – formerly designation #45. Modification requested. No submissions received.	✓
CHBDC-75	Svenson Road Sewage Pumping Station	Sewage Pumping Station	20 Svenson Road, Waipukurau		Lot 2 DP 19831, Lot 3 DP 17611, Lot 19 DP 15040	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-76	Takapau Cemetery	Cemetery	4456 State Highway 2, Takapau	8426m ²	Part Blk 234 Ruataniwha CGD	Rollover – formerly designation #15. No submissions received.	
CHBDC-77	Takapau Hall	Community Hall	41 Charlotte Street, Takapau	1219m ²	Lot 1 Deeds 301	Rollover – formerly designation #58. No submissions received.	
CHBDC-78	Takapau Recreation Grounds	Reserve	Corner of Charlotte Street and	5ha	Lots 21-23 Deeds 615	Rollover – formerly designation #153. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
			Oruwharo Road, Takapau				
CHBDC-79	Takapau Reserve and Cenotaph	Reserve and Memorial	34-36 Charlotte Street, Takapau	1.75ha	Lot 1 DP 24138	Rollover – formerly designation #154. No submissions received.	
CHBDC-80	Takapau Reservoir and Pumping Station	Water Storage and Pumping Station	4344 State Highway 2, Takapau	4192m ²	Lot 1 DP 11855	Rollover – formerly designation #16. No submissions received.	
CHBDC-81	Takapau Road Sewage Pumping Station	Sewage Pumping Station	36 Takapau Road, Takapau	-	Road Reserve	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-82	Takapau Sewage Treatment Plant	Treatment Plant and Oxidation Pond	53 Burnside Road, Takapau	8785m ²	Lot 1 DP 17032	Rollover – formerly designation #75. No submissions received.	
CHBDC-83	Takapau Transfer Station and (closed) landfill	Transfer station and closed landfill	Paulsen Road, Takapau	2.635ha	Otawhao A349A2 Block	Rollover – formerly designation #60. Modification requested. No submissions received.	✓
CHBDC-84	Takapau Water Pumping Station and Treatment Plant	Water pumping station and treatment plant	19A Meta Street, Takapau	410m ²	Lots 2 & 3DP 24138	Rollover – formerly designation #59. Modification requested. No submissions received.	✓
CHBDC-85	Tamumu (closed) landfill	Closed landfill	Corner River and Pourerere Roads, Patangata	7.69ha	Part Lot 1 DP 12148	Rollover – formerly designation #26. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-86	Te Paerahi Beachfront Reserve	Reserve	47 Beach Road, Te Paerahi	2134m ²	Te Paerahi D2M Block	Rollover – formerly designation #165. No submissions received.	
CHBDC-87	Te Paerahi Esplanade Reserve North	Reserve	Te Paerahi Beach	2.27ha	Lot 67 DO 15952 & Lot 2 DP 16750	Rollover – formerly designation #166. No submissions received.	
CHBDC-88	Te Paerahi Esplanade Reserve South	Reserve	Te Paerahi Beach	9701m ²	Lot 35 DP 15949 & Lot 21 DP 10064	Rollover – formerly designation #164. No submissions received.	
CHBDC-89	Te Paerahi Reserve	Reserve	36 Te Paerahi Road, Te Paerahi	1.04ha	Lot 66 DP 15952	Rollover – formerly designation #70. No submissions received.	
CHBDC-90	Te Paerahi Sewage Treatment Plant	Sewage treatment and oxidation pond	36 Te Paerahi Road, Te Paerahi	152ha	Part Puketauhinu Block	Rollover – formerly designation #36. No submissions received.	
CHBDC-91	The Green Patch (Post Office Corner)	Reserve and Car Park	39-41 Ruataniwha Street, Waipukurau	2502m ²	Lot 3 DP 23678	Rollover – formerly designations #95 & #95A. No submissions received.	
CHBDC-92	Tikokino Cemetery	Cemetery	15 Cemetery Road, Tikokino	3863m ²	Lot 1 Agricultural Section 37 Hampden	Rollover – formerly designation #66. No submissions received.	
CHBDC-93	Tikokino (Closed) Landfill	Closed landfill	Holden Road	-	Section 1 SO 2365 & Road Reserve	Rollover – formerly designation #3. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-94	Tikokino Hall and War Memorial	Community Hall and Memorial	7 Owen Street, Tikokino	10,861m ²	Town Section 5-7 Hampden and Town Section 177 Hampden	Rollover – formerly designation #68. No submissions received.	
CHBDC-95	Waikareo Bush Reserve	Reserve	2413 Porangahau Road, Wanstead	7.23ha	Lot 7 DP 9004	Rollover – formerly designation #177. No submissions received.	
CHBDC-96	Waipawa Cemetery (including Central Hawke's Bay Cemetery)	Cemetery	31 Cemetery Road, Waipawa	3.4ha	Lot 97 Deeds 4, Part Blk 59 Patangata CGD, Lots 50-53 Deeds 4, Section 1 SO 10067 & Sections 1-5 SO 420516	Rollover – formerly designation #46. No submissions received.	
CHBDC-97	Waipawa Pumping Station and Treatment Plant	Water Pumping Station and Treatment Plant	31 Johnston Street, Waipawa			Rollover – formerly designation #52. Modification requested. No submissions received.	✓
CHBDC-98	Waipawa Reservoir and Pumping Station	Water Storage and pumping station	44A Abbotsford Road, Waipawa	5309m ²	Pipeline A Deeds Plan 542	Rollover – formerly designation #44. No submissions received.	
CHBDC-99	Waipawa Sewage Treatment Plant	Sewage Treatment and Oxidation Pond	142 Pourerere Road, Waipawa	7.9ha	Lot 1 DP 14285 & Lot 1 DP 24004	Rollover – formerly designation #21. No submissions received.	
CHBDC-100	Waipawa Transfer Station and (Closed) Landfill	Transfer Station and Closed Landfill	Tikokino Road, Waipawa	10.58ha	Part DP 2404	Rollover – formerly designation #74. No submissions received.	

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-101	Waipawa War Memorial	War Memorial	84 High Street, Waipawa	766m ²	Part Lot 1 Deeds 332 & Lot 2 Deeds 332	Rollover – formerly designation #144. No submissions received.	
CHBDC-102	Waipawa Water Supply Intake, Pumping Station and Treatment Plant	Water Supply Intake, Pumping Station and Treatment Plant	339 Tikokino Road, Waipawa	1399m ²	Park Blk 66 Patangata CGD	Rollover – formerly designation #20. No submissions received.	
CHBDC-103	Waipukurau Cemetery	Cemetery	166 Porangahau Road, Waipukurau	2.03ha	Cemetery Reserve Deeds Plan 158	Rollover – formerly designation #43. No submissions received.	
CHBDC-104	Waipukurau Civic Theatre	Civic Theatre	14 Northumberland Street, Waipukurau	3081m ²	Lot 3 DP 22831	Rollover – formerly designation #39. No submissions received.	
CHBDC-105	Waipukurau (Closed) Landfill	Closed Landfill	177 Mt Herbert Road, Waipukurau	1.89ha	Lot 1 DP 9735	Rollover – formerly designation #25. No submissions received.	
CHBDC-106	Waipukurau Reservoir	Water Storage	207E Pukeora Scenic Drive, Waipukurau	3549m ²	Lot 4 DP 27403	Rollover – formerly designation #13. Modification requested. No submissions received.	✓
CHBDC-107	Waipukurau Sewage Treatment Plant	Sewage Treatment and oxidation ponds	177 Mt Herbert Road, Waipukurau	6.23ha	Lot 1 DP 11885	Rollover – formerly designation #24. No submissions received.	
CHBDC-108	Waipukurau Transfer Station	Transfer Station	Mt Herbert Road, Waipukurau	1.89ha	Lot 1 DP 9735	Rollover – formerly designation #128. No submissions received.	

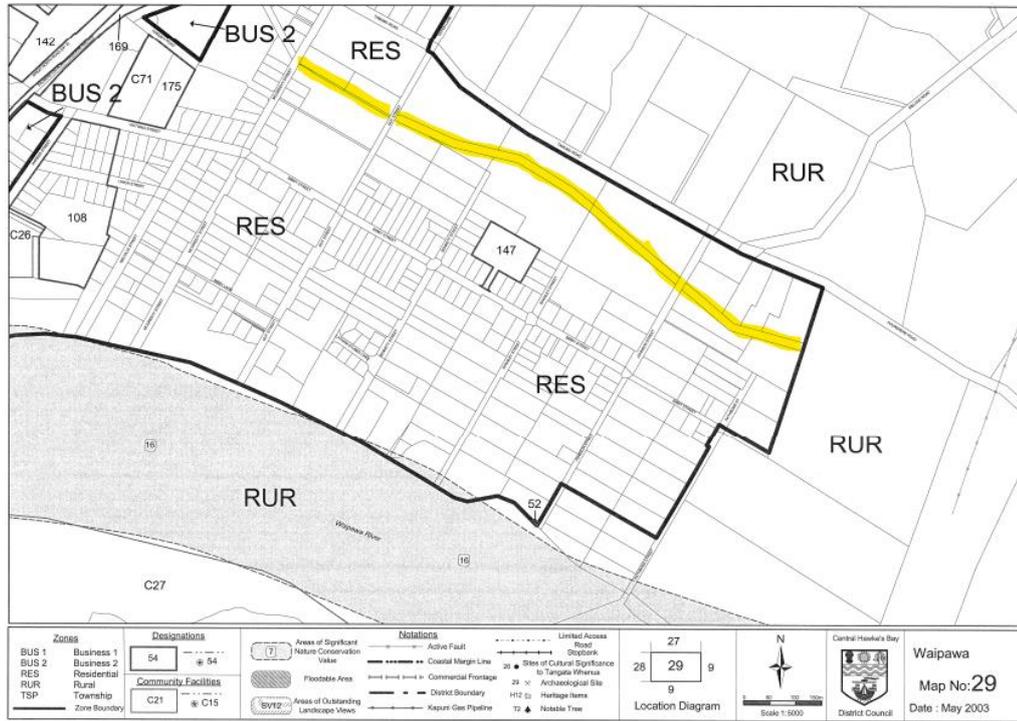
Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status	Require further consideration
CHBDC-109	Waipukurau Water Supply Easement	Water Supply Easement	Pukeora Scenic Road	-	Lot 1 DP 407771 Pt Lot 1 DP 25272	New designation. NOR received as part of CHBDC PDP process. No submissions received.	✓
CHBDC-110	Waipukurau Water Supply Intake and Pumping Station	Water Supply Intake and Pumping Station	2576 State Highway 2, Waipukurau	-	Section 60 Block XIV Waipukurau SD, Part Section 45 Block XIV Waipukurau SD	Rollover – formerly designation #14. Modification requested. No submissions received.	✓
CHBDC-111	Wallingford Hall	Community Hall	22 Bush Road, Wallingford	1984m ²	Lot 1 DP 3433	Rollover – formerly designation #33. No submissions received.	
CHBDC-112	Wallingford Rest Area	Reserve	292 Porangahau Road, Wallingford	-	Road Reserve	Rollover – formerly designation #127. No submissions received.	
CHBDC-113	White Domain	Reserve	41 Dundas Street, Porangahau	7.07ha	Section 6 Block XII Porangahau SD	Rollover – formerly designation #155. No submissions received.	

4.2 CHBDC's Notices of Requirements for New Designations

Bush Drain CHBDC-7

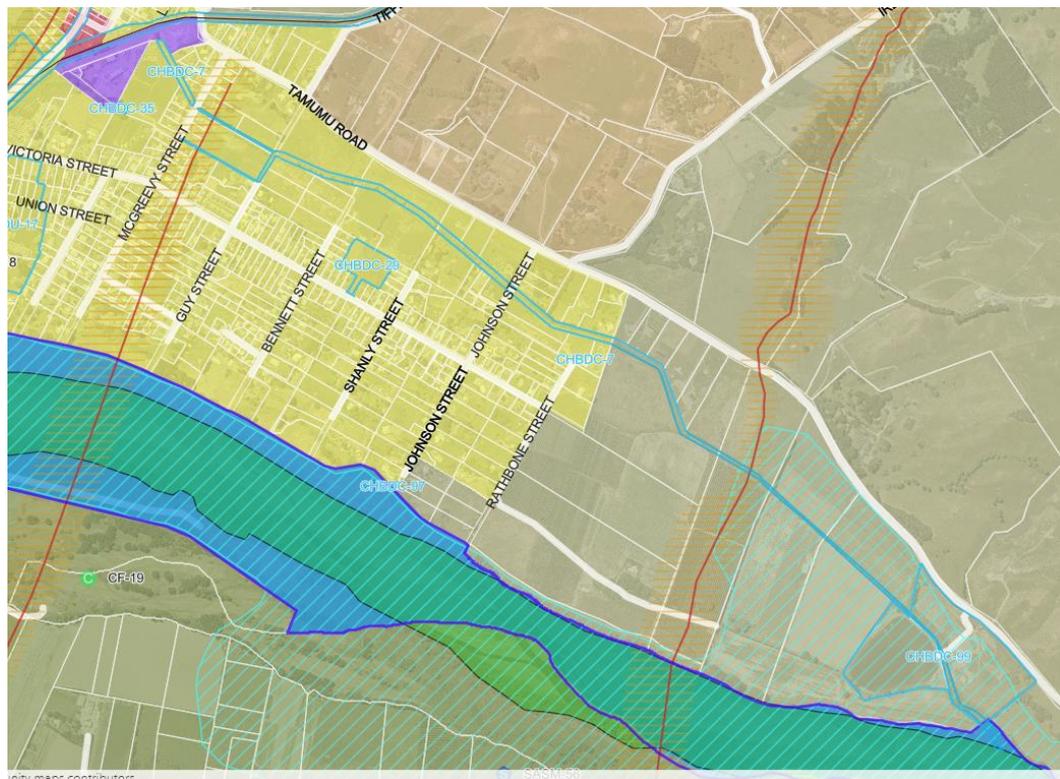
- 4.2.1 CHBDC has lodged a Notice of Requirement to designate a drain that runs between 6 & 12 McGreevy Street to 142 Pourerere Road, coming out at the river just on the other side of the Waipawa Wastewater Treatment Plant. The purpose of the designation is for:
- "The construction and use of land for a drainage reserve to prevent flooding of properties in the town of Waipawa"*
- 4.2.2 The NOR goes on to state:
- "This site is an existing stormwater drainage system and has been in operation for a considerable number of years with minimal effect on the environment"*
- 4.2.3 As the drain itself is existing, no alternative locations have been considered. From McGreevy Street through to the western edge of Lot 6 DP 356980, the drain runs along a separate title that is in the ownership of the Council (note: The title documents list the owner as the Waipawa Borough Council). From the point that the drain enters Lot 6 DP 356980, it runs through to the wastewater treatment plant owned and operated by the Council (142 Pourerere Road, Waipawa).
- 4.2.4 The drain crosses the following Lots:
- Lot 6 DP 356980
 - Part Lot 4 DP 17437
 - Lot 5 DP 17437
 - Part Lot 6 DP 17437
- 4.2.5 There is a drainage easement in gross listed on each Record of Title for these above Lots, in favour of either the Waipawa District Council or the Central Hawke's Bay District Council.
- 4.2.6 The purpose of the NOR is to formally designate this drain, as up until now it has been shown on the Planning Maps as separate titles, but no formal identification of the drain has been included in the Operative District Plan. See Figure 1, the drain is highlighted in yellow.

Figure 1: Map 29 of the Operative District Plan showing the drain



- 4.2.7 The proposed designation includes the yellow above (being Council owned Lots) and the drain as it runs through the Lots listed above.
- 4.2.8 Figure 2 below shows the full extent of the designation sought.

Figure 2: Bush Drain NOR designation



- 4.2.9 CHBDC states that the designation is required to protect the stormwater network in Waipawa and that this is an existing site and has been in use for a number of years. No new or additional consultation has been undertaken.
- 4.2.10 To ensure that the drain operates effectively, a proposed designation across two privately owned pieces of land has been included as part of this NOR. This covers the physical distance of the drain that is not within land owned by the Council. This affects Lot 6 DP 356980 & Part Lot 4 DP 17437; and Lot 5 DP 17437 & Part Lot 6 DP 17437. The two private landowners were consulted with as part of the PDP process (letters sent 10 June 2021), and one submission has been received.

Plan Provision	Submission point	Submitter	Position	Summary of reasons	Summary of decision requested
CHBDC-Central Hawke’s Bay District Council	S20.001	Alan Delugar	Oppose	The water in the bush is damaging and devaluing our property. With the increase in building going on, the amount of water is exceeding the capacity of the drain. This is impacting on what activities I	Reduce the volume of water (in relation to Bus Drain CHBDC-7)

				can do. It also devalues the property land that was productive is now full of swamp grass.	
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4.2.11 Mr Delugar owns properties Lot 6 DP 356980 & Part Lot 4 DP 17437, as shown in Figure 3.

Figure 3: Properties owned by Mr Delugar



4.2.12 The proposed designation can be seen following the natural line of the existing drain.

4.2.13 The modification sought by Mr Delugar is to reduce the volume of water in this drain. This is due to concerns that there is too much water in the drain presently, affecting the useability and value of Mr Delugar’s property.

4.2.14 I consider that there is merit to Mr Delugar’s concerns and it is important that CHBDC, as the authority in charge of managing the capture and discharge of stormwater from the urban environments, does so in a manner that does not damage or cause nuisance to adjoining land owners.

4.2.15 In the past two years, CHBDC have undertaken a number of steps to improve how stormwater is identified, captured and managed within the urban areas, specifically with regards to new development. This is seen in the Stormwater Bylaw, dated 13 May 2021 and the stormwater practice note SW02.

4.2.16 I consider that the designation of this drain is necessary to formally record the placement of CHBDC’s stormwater assets and the NOR does not minimise the responsibility of CHBDC to manage their stormwater network effectively and efficiently.

4.2.17 **S168A(3) analysis**

<p>...consider the effects on the environment of allowing the requirement</p>	<p>I am not satisfied that the purpose of the designation as sought to be included in the CHBPDP is clear enough to ensure that all possible effects on neighbours can be assessed.</p> <p>The purpose of the designation has been provided as:</p> <p>“The construction and use of and for a drainage reserve to prevent flooding or properties in the town of Waipawa.”</p> <p>The purpose is very broad, allowing for construction of further infrastructure, and the words ‘drainage reserve’ indicate a much larger area than the stormwater drain that is indicated on the maps. I am unable to make an assessment of the potential effects on neighbouring properties given the broad nature of this purpose and recommend that the Council provide further information on the purpose and use of this drain, including any planned improvements or construction of any infrastructure within the drain.</p> <p>I consider that the Council as requiring authority should provide further evidence to support the purpose of this NOR to include:</p> <ul style="list-style-type: none"> - Any planned upgrades to the drain; - how the effects on neighbouring properties will be managed. <p>This could include altering the purpose of the NOR to be more specific with regards to what “construction” could cover, or alternatively, delete the word “construction” if this is not intended by the requiring authority.</p>
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>HBRC Regional Policy Statement:</p> <p>OBJ 25: <i>The quantity of water in wetlands, rivers and lakes is suitable for sustainable aquatic ecosystems, for achieving other freshwater objectives, and ensuring resource availability for a variety of purposes across the region, while recognising the impact caused by climatic fluctuations in Hawke’s Bay</i></p> <p>OBJ26: <i>The avoidance of any significant adverse effects of water takes, uses, damming or diversion on lawfully established activities in surface water bodies.</i></p>	

POL49: Diversion and Discharge of Stormwater:

(a) To permit the diversion and discharge of stormwater from constructed open drainage systems or piped stormwater drainage systems into surface water without the need for a resource consent, subject to conditions in this Plan which are intended to adequately avoid, remedy or mitigate any significant adverse effects.

(b) To promote mitigation of the cumulative effects of stormwater discharges on water quality where appropriate.

Comment:

It is the Council's responsibility to comply with the conditions set out in the HBRC Regional Resource Management Plan to ensure that stormwater discharge into the Waipawa River is permitted or approved by way of resource consent from the Regional Council. The inclusion of the Bush Drain as a designation does not change the current use of the drain by the Council as this is existing.

CHBDC have an existing consent with HBRC to discharge stormwater into Bush Drain (AUTH-119587-01). This authorises CHBDC to discharge stormwater into the Bush Drain and then into the Waipawa River.

The inclusion of the Bush Drain as a designation does not change the current use of the drain by the Council as this is existing. The NOR request to confirm Bush Drain as a designation is not inconsistent with the above objectives and policies.

Operative District Plan:**10 Utilities Chapter**

10.1.1 Objective: The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.

10.2.1 Objective: The establishment, use and maintenance of utilities, necessary for the well-being of the community.

Comment:

The above objectives and policies provide for this utility and the ongoing maintenance of the drain will meet objective 10.2.1.

Proposed District Plan:**NU-Network Utilities**

Objectives: NU-01: Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.

NU-02: The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).

NU-03: The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.

Comment:

<p>The inclusion of Bush Drain as a designation is not inconsistent with the above objectives and policies of the proposed plan, which seek to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network. Should work be proposed on the drain that falls outside of the purpose of the designation the NU chapter provides a set of performance standards intended to ensure that effects of the use and upgrading of network utilities are managed and mitigated.</p> <p>The NOR for this designation of Bush Drain is not inconsistent with the above objectives and policies of the Proposed District Plan.</p>	
<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>"The site is an existing stormwater drainage system, no alternatives have been considered."</i></p> <p>I agree with this statement and I am satisfied that the requiring authority has a sufficient interest in the land given that part of the drain is within Council owned land and the remainder is protected by way of easements in gross on existing titles.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to provide an efficient stormwater drainage network for Waipawa.</p> <p>I consider that the designation will assist with achieving that objective as it protects the location of the existing stormwater drain that is part of the Council's network and provides for it to be operated and maintained to ensure it functions effectively.</p> <p>Arguably the ability for the Council to operate and maintain the drain is already provided for by the easements already in place and the permitted activity standards which enable those activities. However, the designation does provide the Council with additional statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning and operation of the drain.</p>
<p>(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I consider that the following information is required before the Hearings Panel can make a recommendation on this NOR:</p> <ul style="list-style-type: none"> - Any planned upgrades to the drain; - What the term "construction" means and what could reasonably be expected, or alternatively, the removal of the word "construction" from the purpose;

	- How the effects on neighbouring properties will be managed.
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Harris Street Sewage Pumping Station CHBDC-19

4.2.18 CHBDC has lodged a NOR to designate an existing sewage pumping station, located in the road reserve outside 10 Harris Street, Waipukurau.

4.2.19 The site is used for a municipal wastewater below-ground pumping station with an above-ground control box and communication aerial. The stated purpose of the requested designation is ‘sewage pumping station’.

4.2.20 The NOR states:

“The site is an existing pumping station, no environment (sp) effects are anticipated.”

4.2.21 No alternative location has been considered as the pumping station is in situ.

4.2.22 No consultation was undertaken as CHBDC states:

“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”

4.2.23 s168A Analysis

<p>...consider the effects on the environment of allowing the requirement</p>	<p>The effects on the environment are negligible as the above ground control box is small and suitable for location within the road reserve. The surrounding area is an industrial area and there are a number of large buildings and machinery in close proximity to the road reserve.</p> <p>The remainder of the designation refers to underground services which form part of the existing infrastructure network.</p> <p>There are no adverse effects on the environment by the proposed designation.</p>
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement: ii. A New Zealand coastal policy statement: iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p>	

The maintenance of the existing sewage pumping station is managed by the performance standards in Chapter 10 of the ODP. The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.

Proposed District Plan:

NU-Network Utilities

Objectives: NU-O1: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-O2: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The inclusion of the sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, which seek to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network. Further, as the pumping station is located in the road reserve and largely below ground, the adverse effects on the environment are considered to be negligible.

The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>No further assessment against alternative sites is required as the pumping station is in place and already operating. Further, the requiring authority owns the relevant land and the effects on the environment are less than minor.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to provide for the safe and efficient operation of the Council’s wastewater network.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and part of the Council’s network.</p> <p>A designation provides the Council with additional statutory powers under s176 to restrict the activities of</p>

	others within the designated area where those activities might impact on the functioning of the pumping station.
(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	I do not consider there are any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.

4.2.24 No submissions were received.

Mangatarata Road Supplementary Water Tank CHBDC-34

4.2.25 CHBDC has lodged a NOR to designate an existing water tank, located in the road reserve outside 90 Mangatarata Road, Waipukurau.

4.2.26 The site is used as a supplementary water tank for water storage purposes. The NOR is to protect the existing water tank and there is no provision in the NOR for construction and/or replacement of the tank.

4.2.27 **S168A Analysis**

...consider the effects on the environment of allowing the requirement	The effects on the environment are negligible as the tank is small for a public water tank, it is set back into the bank adjacent to the road and is not seen easily from the wider environment due to the topography. The tank is a recessive black and results in minimal visual effects. I consider there are less than minor effects on the environment.
(a) Any relevant provisions of – i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and	No assessment has been provided in the NOR. I consider the following plans to be relevant:
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p> <p>The above objectives and policies provide for this utility and the ongoing maintenance of the water tank will meet objective 10.2.1.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-O1: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in</i></p>	

emergencies, that enable people and communities to provide for their health, safety and wellbeing.

NU-02: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-03: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The inclusion of this supplementary water tank as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.

Further, as the water tank is located in the road reserve and largely below ground, the adverse effects on the environment are considered to be negligible.

The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>No further assessment against alternative sites is required as the Water tank is in place and already operating. Further, the requiring authority owns the land and the effects on the environment are less than minor.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to protect the supply of drinking water to the public.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the tank is already in place and is part of the Council’s existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the water network.</p>
<p>(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers an existing water tank that is already in place and part of an operating infrastructure network.</p>

4.2.28 No submissions were received.

McGreevy Street Sewage Pumping Station CHBDC-35

4.2.29 CHBDC has lodged a NOR to designate an existing sewage pumping station, located within the boundary of 17A McGreevy Street, Waipawa.

4.2.30 The site is used for a municipal wastewater below ground pumping station with an above ground control box and communication aerial fenced off to protect this plant.

4.2.31 **S168A Analysis**

<p>...consider the effects on the environment of allowing the requirement</p>	<p>The effects on the environment are negligible as the pumping station is set well back into the property and is fenced off from neighbouring land uses. The pumping station is not easily visible from the street and surrounding rural and industrial land uses are not affected by the location of this pumping station.</p> <p>I consider the effects on the environment to be less than minor.</p>
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement: ii. A New Zealand coastal policy statement: iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p> <p>The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-01: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i> NU-02: <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i> NU-03: <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p>	

Comment:	
<p>The inclusion of this sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.</p> <p>The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.</p>	
<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>The owner of the property at 17A McGreevy Street, K. MacKenzie, has been consulted. No submissions have been received.</p> <p>A review of the Record of Title for Lot 2 DP 23376 (17A McGreevy Street) shows the following instrument:</p> <p><i>6178393.2: Subject to right of way and rights to convey water and sewage (in gross) over part marked A and A1 on DP 322987 in favour of Central Hawke's Bay District Council – 11.10.2004.</i></p> <p>Further reading of this instrument confirms that the Council has free and uninterrupted access to the pump station for the purposes of laying, inspecting, cleansing, repairing, maintaining and renewing the line of pipes, or any part therefor, and or opening up the soil of that land to such extent as may be necessary and reasonable in that regard. Further, this instrument allows the Council to occupy and use the area for a pump house and pump.</p> <p>I am satisfied that while this is a new NOR, the pump station and all rights to use and access the area within 17A McGreevy Street as a pump station have been established for some time and Council has a sufficient interest in the land through the easement to undertake all activities for which designation is sought.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to protect the pumping station and above ground control box and aerials to safeguard the operation of the Council's wastewater network.</p>

	<p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and is part of the Council’s existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council’s network.</p>
(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.

Meta Street Sewage Pumping Station CHBDC-36

4.2.32 CHBDC has lodged a NOR to designate an existing sewage pumping station, located in the road reserve on the corner of Meta Street and St Clair Street, Takapau.

4.2.33 The site is used for a municipal wastewater below ground pumping station that is below the road in the intersection and the above ground control box and communication aerial.

4.2.34 **S168A Analysis**

...consider the effects on the environment of allowing the requirement	<p>The effects on the environment are negligible as the above ground control box is small and suitable for location within the road reserve. The surrounding rural residential area provides for an uncluttered environment and the control box is a small unit that does not adversely affect the surrounding rural environment.</p> <p>The remainder of the designation refers to underground services which form part of the existing infrastructure network.</p> <p>There are no adverse effects on the environment by the proposed designation.</p>
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter</p>	

10.1.1 Objective: *The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.*

10.2.1 Objective: *The establishment, use and maintenance of utilities, necessary for the well-being of the community.*

Comment:

The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.

Proposed District Plan:

NU-Network Utilities

Objectives: NU-O1: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-O2: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The inclusion of this sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.

Further, as the pumping station is located in the road reserve and largely below ground, the adverse effects on the environment are considered to be negligible.

The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>No further assessment against alternative sites is required as the pumping station is in place and already operating. Further, the requiring authority has sufficient interest in the land for the designation to continue operating and the effects on the environment are less than minor.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to</p>

objectives of the requiring authority for which the designation is sought; and	<p>provide for the safe and efficient operation of the Council's wastewater network.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and is part of the Council's existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council's network.</p>
(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.

4.2.35 No submissions were received.

Redwood Drive Sewage Pumping Station CHBDC-70

4.2.36 CHBDC has lodged a NOR to designate an existing sewage pumping station, located in the road reserve on Redwood Drive, Waipukurau.

4.2.37 The site is used for a municipal wastewater below ground pumping station with an above ground control box and communication aerial.

4.2.38 **S168A Analysis**

...consider the effects on the environment of allowing the requirement	<p>The effects on the environment are negligible as the above ground control box is small and suitable for location within the road reserve.</p> <p>The land surrounding the control box has mature vegetation on it and the box is largely hidden from the view of the public.</p> <p>The remainder of the designation refers to underground services which form part of the existing infrastructure network.</p> <p>There are no adverse effects on the environment by the proposed designation.</p>
<p>(a) Any relevant provisions of –</p> <p>i. A national policy statement:</p> <p>ii. A New Zealand coastal policy statement:</p> <p>iii. A regional policy statement or proposed regional policy statement;</p> <p>iv. A plan or proposed plan; and</p>	<p>No assessment has been provided in the NOR.</p> <p>I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter</p>	

10.1.1 Objective: *The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.*

10.2.1 Objective: *The establishment, use and maintenance of utilities, necessary for the well-being of the community.*

Comment:

The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.

Proposed District Plan:

NU-Network Utilities

Objectives: NU-O1: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-O2: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The inclusion of this sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.

Further, as the sewage pumping station is located in the road reserve and largely below ground, the adverse effects on the environment are considered to be negligible.

The NOR is to provide for the operation of the existing pumping station, so any alterations/expansions to the pumping station will be assessed under the relevant s9 provisions of the RMA if required.

The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <ul style="list-style-type: none"> i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or ii. It is likely that the work will have a significant adverse effect on the environment; and 	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>No further assessment against alternative sites is required as the pumping station is in place and already operating. Further, the requiring authority has enough interest in the land for the designation to continue operating and the effects on the environment are less than minor.</p>
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<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to provide for the safe and efficient operation of the Council's wastewater network.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and is part of the Council's existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council's network.</p>
<p>(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.</p>

4.2.39 No submissions were received.

Svenson Road Sewage Pumping Station CHBDC-75

4.2.40 CHBDC has lodged a NOR to designate an existing sewage pumping station, located at the rear of the property at 20 Svenson Street, Waipukurau.

4.2.41 The site is used for a municipal wastewater below ground pumping station with an above ground control box and communication aerial.

4.2.42 **S168A Analysis**

<p>...consider the effects on the environment of allowing the requirement</p>	<p>The effects on the environment are negligible as the above ground control box is small and the area is fenced.</p> <p>The control box is existing and there is no change to the existing environment for surrounding residential properties.</p> <p>There are no adverse effects on the environment by the proposed designation.</p>
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter</p>	

10.1.1 Objective: *The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.*

10.2.1 Objective: *The establishment, use and maintenance of utilities, necessary for the well-being of the community.*

Comment:

The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.

Proposed District Plan:

NU-Network Utilities

Objectives: NU-O1: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-O2: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The inclusion of this sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, which seek to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.

The Proposed Plan does permit some infrastructure activities, which would mean that such works could be undertaken without the need for an outline plan (s176A(2)(a)).

The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.

- (b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –
- i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or
 - ii. It is likely that the work will have a significant adverse effect on the environment; and

The NOR states that no alternatives have been considered as:

"This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required."

The two adjoining land owners:

- Christopher Pine at 18 Svenson Road
- Stephen Ellmers at 2 Blundell Avenue

were contacted by the Territorial Authority on 10 June 2021. No submissions have been received.

The NOR covers three different lots, with access from Svenson Road being Lot 2 DP 19831, owned by the Council. The neighbouring Lots, Lot 19 DP 15040 (18 Svenson Road) and Lot 3 DP 17611 (2 Blundell Avenue)

	<p>each have a small portion of a rear corner dedicated to this infrastructure.</p> <p>As the Council owns the access from Svenson Road and both neighbouring Lots have an easement in gross to transfer sewage in favour of the Council, I am satisfied that the Council has sufficient interest in the land.</p> <p>The NOR is to protect the existing site and no further works are proposed, I do not consider that there will be any adverse effect on neighbouring properties.</p>
(e) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to provide for the safe and efficient operation of the Council's wastewater network.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and is part of the Council's existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council's network.</p>
(f) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	<p>I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.</p>

4.2.43 No submissions were received.

Takapau Road Sewage Pumping Station CHBDC-81

4.2.44 CHBDC has lodged a NOR to designate an existing sewage pumping station, located in the road reserve outside 36 Takapau Road, Waipukurau

4.2.45 The site is used for a municipal wastewater below ground pumping station in the layby with an above ground control box and communication aerial on the edge of the adjacent footpath.

4.2.46 **S168A Analysis**

...consider the effects on the environment of allowing the requirement	<p>The effects on the environment are negligible as the above ground control box is small and suitable for location within the road reserve. The surrounding area is an industrial area and there are a number of large buildings and machinery in close proximity to the road reserve.</p> <p>The remainder of the designation refers to underground services which form part of the existing infrastructure network.</p>
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	There are no adverse effects on the environment by the proposed designation.
(a) Any relevant provisions of – i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; iv. A plan or proposed plan; and	No assessment has been provided in the NOR. I consider the following plans to be relevant:
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p> <p>The maintenance of the existing sewage pumping station is managed by the performance standards in Chapter 10 of the ODP. The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-01: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i> NU-02: <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i> NU-03: <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p> <p>Comment:</p> <p>The inclusion of this sewage pumping station as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network. Further, as the sewage pumping station is located in the road reserve and largely below ground, the adverse effects on the environment are considered to be negligible. The NOR is to provide for the operation of the existing pumping station, so any alterations/expansions to the pumping station will be assessed under the relevant s9 provisions of the RMA if required.</p> <p>The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.</p>	
(b) Whether adequate consideration has been given	The NOR states that no alternatives have been considered as:

<p>to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>No further assessment against alternative sites is required as the pumping station is in place and already operating. Further, the requiring authority has enough interest in the land for the designation to continue operating and the effects on the environment are less than minor.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to provide for the safe and efficient operation of the Council's wastewater network.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pumping station is already in place and is part of the Council's existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council's network.</p>
<p>(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a pumping station that is already in place and part of an operating infrastructure network.</p>

4.2.47 No submissions were received.

Waipukurau Water Supply Easement CHBDC-109

4.2.48 CHBDC has lodged a NOR to designate an existing water supply pipe, located within Lot 1 DP 407771 and Pt Lot 1 DP 25272. This water supply is part of an existing designation, #13, and the Council has requested that a new designation be assigned for this easement, to be separate from the Waipukurau Reservoir CHBDC-106.

4.2.49 The designation is used to identify the location of the pipe that brings water up the hill into the Waipukurau Reservoir.

4.2.50 **S168A Analysis**

<p>...consider the effects on the environment of allowing the requirement</p>	<p>There are no effects on the environment as the pipe is within the ground and there are no proposals to disturb the ground unless maintenance is required. The properties that the pipeline runs through are rural in nature and disturbance of the ground for maintenance works will not result in any adverse visual effects.</p> <p>Overall, the effect on the environment is less than minor.</p>
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<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement: ii. A New Zealand coastal policy statement: iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p> <p>The maintenance of the existing water supply pipe is managed by the performance standards in Chapter 10 of the ODP. The above objectives and policies provide for this utility and the ongoing maintenance of the pumping station will meet objective 10.2.1.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-O1: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i> NU-O2: <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i> NU-O3: <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p> <p>Comment:</p> <p>The inclusion of this water supply pipe as a designation is not inconsistent with the above objectives and policies of the proposed plan, this seeks to ensure that network utilities are managed and maintained to provide for a safe, effective and efficient stormwater network.</p> <p>The NOR is to provide for the operation of the existing water supply pipe, so any alterations/expansions to the pipe will be assessed under the relevant s9 provisions of the RMA if required.</p> <p>The NOR for this designation is not inconsistent with the above objectives and policies of the Proposed District Plan.</p>	
<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p>	<p>The NOR states that no alternatives have been considered as:</p>

<p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>The water supply pipe does cross over two privately owned pieces of land:</p> <ul style="list-style-type: none"> - Lot 1 DP 407771 - Part Lot 1 DP 25272 <p>There are easements in gross in favour of Council on the titles of both of these Lots, therefore I am satisfied that the requiring authority has a sufficient interest in the land for this designation.</p> <p>Further, the NOR is not for any works to expand/alter the existing water supply pipe, it is to protect the existing pipe and I do not consider that the confirmation of this designation will have any adverse effects on the environment.</p>
<p>(g) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Council did not state what its objectives are, but I have assumed that they relate to its obligations to protect the supply of drinking water to the public.</p> <p>I am satisfied that the designation is reasonably necessary to achieve that objectives of the requiring authority because the pipe is already in place and is part of the Council’s existing network.</p> <p>A designation provides further statutory powers under s176 to restrict the activities of others within the designated area where those activities might impact on the functioning of the Council’s water supply.</p>
<p>(h) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I do not consider any other matters necessary for consideration, as the effects from the designation are considered to be less than minor and the designation covers a water supply pipe that is already in place and part of an operating infrastructure network.</p>

4.2.51 No submissions were received.

4.3 CHBDC’s Notices of Requirements for Rollovers/Modifications

The Central Hawke’s Bay (CHB) Municipal Theatre (formerly Waipawa Town Hall) CHBDC-9

4.3.1 CHBDC have sought to rollover what was formerly designation #47 (Community Hall) and the following modifications:

- Corrected Address to 17 Kenilworth Street, Waipawa

- Corrected designation boundaries to include the car park at the rear of the hall, occupation over Lot 5 DP 25013, Lot 3 DP 25013 and part of Lot 4 DP 433593

Analysis

4.3.2 I consider these modifications to be administrative and to reflect the true area associated with the Municipal Theatre. No physical change to boundaries or buildings is required and there is no change to the use of the hall. No conditions were removed, altered or added through this modification. No persons are affected by these modifications.

4.3.3 No submissions were received.

Coronation Park CHBDC-10

4.3.4 CHBDC have requested the rollover of Coronation Park, which was formerly designation #146 with the following modifications:

- Corrected address to 1 Tikokino Road, Waipawa
- Updated designation boundaries to correctly follow the boundary of the park.

Analysis

4.3.5 I consider these modifications to be administrative and to reflect the true area used as Coronation Park. No physical change to boundaries or buildings on site is required and there is no change to the use of the park. No conditions were removed, altered or added through this modification. No persons are affected by these modifications.

4.3.6 No submissions were received.

Don Allan Reserve CHBDC-12

4.3.7 CHBDC have applied to rollover the designation for Don Allan Reserve, what was formerly designation #143 with the following modifications:

- Corrected name to Don Allan Reserve
- Corrected Address to 22 Church Street, Waipawa

Analysis

4.3.8 I consider these modifications to be administrative. No physical change to boundaries or buildings on site is required and there is no change to the use of the park. No conditions were removed, altered or added through this modification. No persons are affected by these modifications.

4.3.9 No submissions were received.

Madge Hunter Park CHBDC-31

4.3.10 CHBDC have applied to rollover the designation of Madge Hunter Park, what was formerly designation #51 with the following modifications:

- Corrected name to Madge Hunter Park (inclusive of Waipawa Districts Centennial and Memorial Pool);
- Corrected Address to 27 Harker Street, Waipawa;
- Corrections to the map boundaries.

Analysis

4.3.11 I consider these modifications to be administrative. No physical change to boundaries or buildings on site is required and there is no change to the use of the park. The boundaries have been updated on the maps to reflect the true boundaries of the designation.

4.3.12 No conditions were removed, altered or added through this modification. No persons are considered to be affected by these modifications.

4.3.13 No submissions were received.

Nelly Jull Park CHBDC-37

4.3.14 CHBDC have applied to rollover the designation of Nelly Jull Park, what was formerly designation #145 with the following modifications:

- Corrected name to Nelly Jull Park;
- Corrected Address to 2 Islington Drive, Waipawa
- Corrections to the map boundaries.

Analysis

4.3.15 I consider these modifications to be administrative. No physical change to boundaries or buildings on site is required and there is no change to the use of the park. The boundaries have been updated on the maps to reflect the true boundaries of the designation.

4.3.16 There were no submissions.

4.3.17 No conditions were removed, altered or added through this modification.

Otāne Old School Reserve CHBDC-45

4.3.18 CHBDC have requested the rollover of Otāne Old School Reserve, what was formerly designation #55 with the following modifications:

4.3.19 Corrected name to Otāne Old School Reserve (also referred to as Otāne Arts and Crafts Corner);

Analysis

4.3.20 I consider these modifications to be administrative. No physical change to boundaries or buildings on site is required and there is no change to the use of the site. The boundaries have been updated on the maps to reflect the true boundaries of the designation.

4.3.21 There were no submissions.

4.3.22 Otāne playground CHBDC-46

4.3.23 No NOR was received for the modification of the Otāne playground, which has been reduced in size from the previous designation area. Figure 3 shows the Operative Planning Map and the area designated for the Otāne playground. Figure 4 shows the proposed designation.

Figure 4: Operative Plan map #24 with area highlighted for designation #150

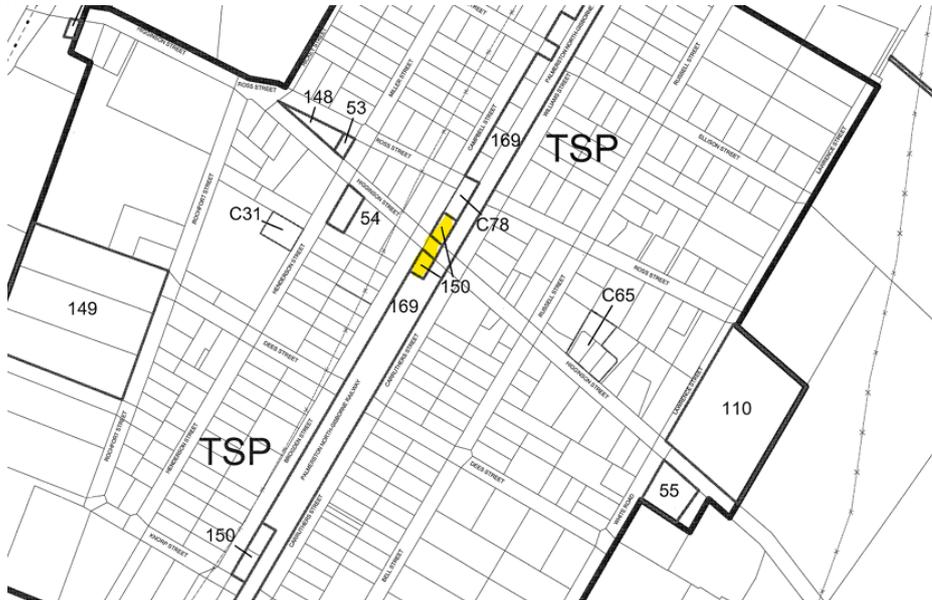


Figure 5 Proposed designated area:



4.3.24 The area south of Higginson Street has been removed from this designation and now forms part of the Kiwirail Designation KRH-1. The KRH-1 NOR requested a modification to update the cartographical errors within the District Plan and the planning maps for the PDP show that this land that was formerly part of designation #150 is now part of the KRH-1 designation boundaries.

4.3.25 While I consider the lack of an NOR to amend the designation boundaries an oversight by CHBDC, with no conditions or description in the description of the designation other than “reserve”, it is clear that this piece of land to the south of Higginson Street is no longer needed to fulfil the purpose of the designation. S182 provides for a Requiring Authority to remove part of a designation at any time and I consider that this is what has been intended by the Council through this rollover process.

Pa(h) Flat Stormwater Drain CHBDC-53

4.3.26 CHBDC has sought to rollover and modify an existing stormwater drainage reserve designation, formerly #42. This modification is described as follows:

"Pah Flat Stormwater Drain on Mt Herbert Road, is an existing designation, located between 24 & 26 Mt Herbert Road, Waipukurau. This Stormwater Drain runs north and south of the Mt Herbert Road bridge. An extension to the drain now extends through to Belgrove Drive."

4.3.27 The designation is for the construction and use of land for a drainage reserve to prevent flooding of properties in the town of Waipukurau.

4.3.28 No alternative sites have been proposed as the stormwater drain is already in place. The designation is required to protect the stormwater drainage network in Waipukurau.

4.3.29 No consultation has been undertaken as the NOR states:

"This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required."

Analysis

4.3.30 I consider this NOR to be administrative and to designate a piece of the Council's stormwater treatment network. The drainage reserve is existing and the extension through to Belgrove Drive has been in place since at least 2008 (earliest Google Map streetview photos). It appears to have been protected while the land around Belgrove Drive has been developed.

4.3.31 No effects on any person or on the environment are anticipated as this is an established piece of the Council's stormwater network and there are no changes proposed to the physical location or extent of the stormwater drain.

4.3.32 No policy statements or plans are considered to be relevant to this proposed rollover of the designation.

4.3.33 No alternative sites can be considered as the drain is already in place and the designation achieves the objective of the Requiring Authority which is to protect the stormwater drainage network in Waipukurau.

4.3.34 No submissions were received.

Porangahau Hall and War Memorial CHBDC-59

4.3.35 No modifications or submissions were received on this designation. At the time of the preparation of this s42A report, a spelling error in the PDP document has been found.

4.3.36 I recommend a modification to amend the PDP document to correctly spell Abercromby Street. This is a correction of a minor error under cl 16, Schedule 1, RMA.

Analysis

4.3.37 I consider these modifications to be administrative. No physical change to boundaries or buildings on site is required and there is no change to the use of the reserve. No conditions were removed, altered or added through this modification.

4.3.38 No persons are considered to be adversely affected by this change of details.

Takapau Transfer Station and (Closed) Landfill CHBDC-83

4.3.39 No modifications or submissions were received on this designation. At the time of the preparation of this s42A report, a spelling error in the PDP document has been found.

4.3.40 I recommend a modification to amend the PDP document to correctly spell Paulsen Road, Takapau. This is correction of a minor error under cl 16, Schedule 1, RMA.

Takapau Water Pumping Station and Treatment Plant CHBDC-84

- 4.3.41 CHBDC has lodged a NOR to rollover of the designation for the Takapau Water Pumping Station and Treatment Plant, formerly #59, and to modify the extent of the boundaries. The following modifications are proposed:
- 4.3.42 The designation is on Lot 2 DP 2094 but will include proposed Lot 5 – subdivision of Lot 2 DP 24138.
- 4.3.43 The site is used as an existing water pumping station and treatment plant.
- 4.3.44 The NOR states:
“The site is an existing water pumping station and treatment plant which has been in operation for a considerable number of years with minimal effect on the environment.”
- 4.3.45 No alternative location has been considered as the system is already in place.
- 4.3.46 The Form 20 states that no consultation was undertaken with parties that are likely to be affected as:
“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”
- 4.3.47 However, information about this designation was sent out to the adjoining land owner:
- Jack Pritchard at 19 Meta Street
- 4.3.48 No submissions were received.

Analysis

- 4.3.49 I consider this NOR to be administrative and to designate a piece of the Council's water network. As this is existing and neighbouring land owners were contacted through this PDP process, I am satisfied that the appropriate process has been followed and there are no adverse effects resulting from this designation. The piece of land that the designation will be extended onto is not currently in the ownership of CHBDC, but will be created through the completion of subdivision RM190011. The intention is that this piece of land will then be sold to the Council as part of the subdivision process. Should this subdivision not be completed, the designation is clear in its intention and the water pumping station has already been extended into this piece of land with the permission of the land owner.
- 4.3.50 There are no relevant policy statements or plans relevant to this designation. No alternatives have been considered as the Council has worked with the landowner adjacent to the existing designation to facilitate the extension of the water pumping station, and this has been considered as part of the subdivision.

Waipawa Pumping Station and Treatment Plant CHBDC-97

- 4.3.51 CHBDC has lodged a NOR to rollover the designation for the Waipawa Pumping Station and Treatment Plant, formerly #52, and to modify the extent of the boundaries. The following modifications are proposed:
- 4.3.52 The designation included Lot 2 DP 2094 but now includes Lot 2 DP 505491.
- 4.3.53 A modified map has been provided with the correct boundaries.
- 4.3.54 The site is used as an existing water pumping station and water treatment plant.
- 4.3.55 The NOR states:
“The site is an existing water pumping station and treatment plant which has been in operation for a considerable number of years with minimal effect on the environment.”
- 4.3.56 No alternative location has been considered as the system is already in place.
- 4.3.57 No further consultation was undertaken as the NOR states:

"This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required."

4.3.58 I consider this to be appropriate as Central Hawke's Bay District Council are the landowner of the Lots to which this designation applies.

4.3.59 No submissions were received.

Analysis

4.3.60 I consider this NOR to be administrative and to designate a piece of the Council's water network. I do not consider there to be any persons affected by the rollover of the designation and extension of the boundary to correctly reflect the area occupied by the designation. I would note that in the CHBPDP ePlan, the name Johnson is incorrect and request a modification as such.

Waipukurau Reservoir CHBDC-106

4.3.61 No modifications or submissions were received on this designation. At the time of the preparation of this s42A report, a spelling error in the PDP document has been found.

4.3.62 I recommend a modification to amend the PDP document to correctly amend 207E Pukeora Scenic Drive to Pukeora Scenic Road. This is a correction of a minor error under cl 16, Schedule 1, RMA.

Waipukurau Water Supply Intake and Pumping Station CHBDC-110

4.3.63 CHBDC has lodged a NOR to request the rollover of the designation for the Waipukurau Water Supply Intake and Pumping Station, formerly designation #14, and to extend the boundaries of the designation into a neighbouring Lot.

4.3.64 The designation is the site of an existing pumping station and water intake system which is been in operation for a consideration number of years. The NOR states that the nature of the proposed work is:

"The construction and use of pumping equipment for the supply of drinking water to the town of Waipukurau."

4.3.65 No alternative location has been considered as the current water pumping station and intake system are in place.

4.3.66 No consultation was undertaken as CHBDC state:

"This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required."

Analysis

4.3.67 I do not consider the CHBDC has provided an assessment of effects for the extension to the boundaries of the designation. The current designation extent can be seen in Map 8 of the ODP:

Figure 6: Map 8 of the ODP showing designation #14

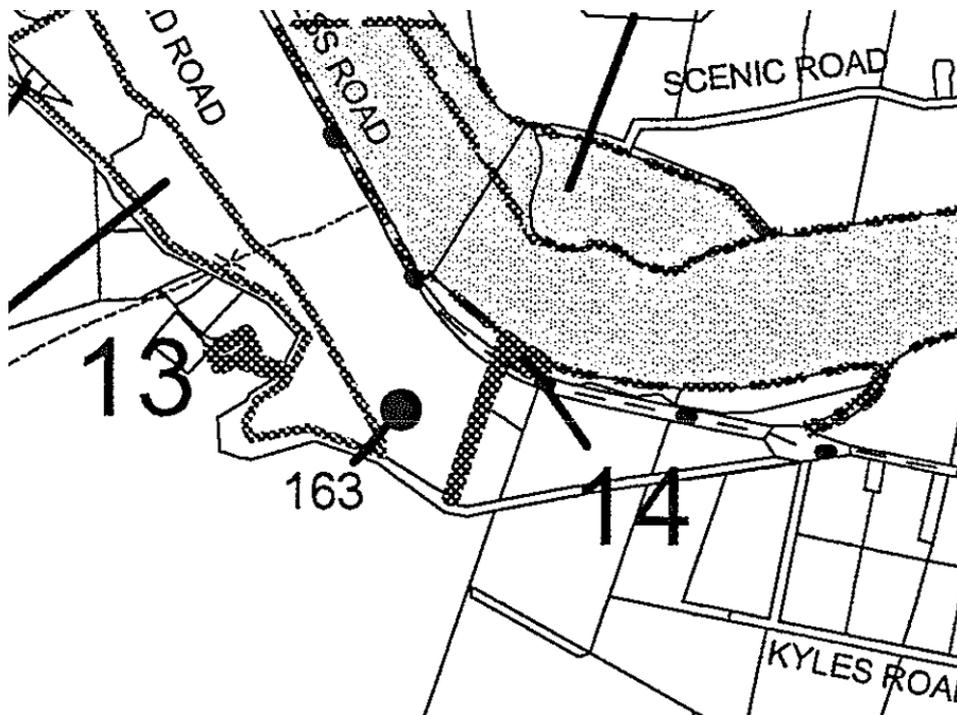
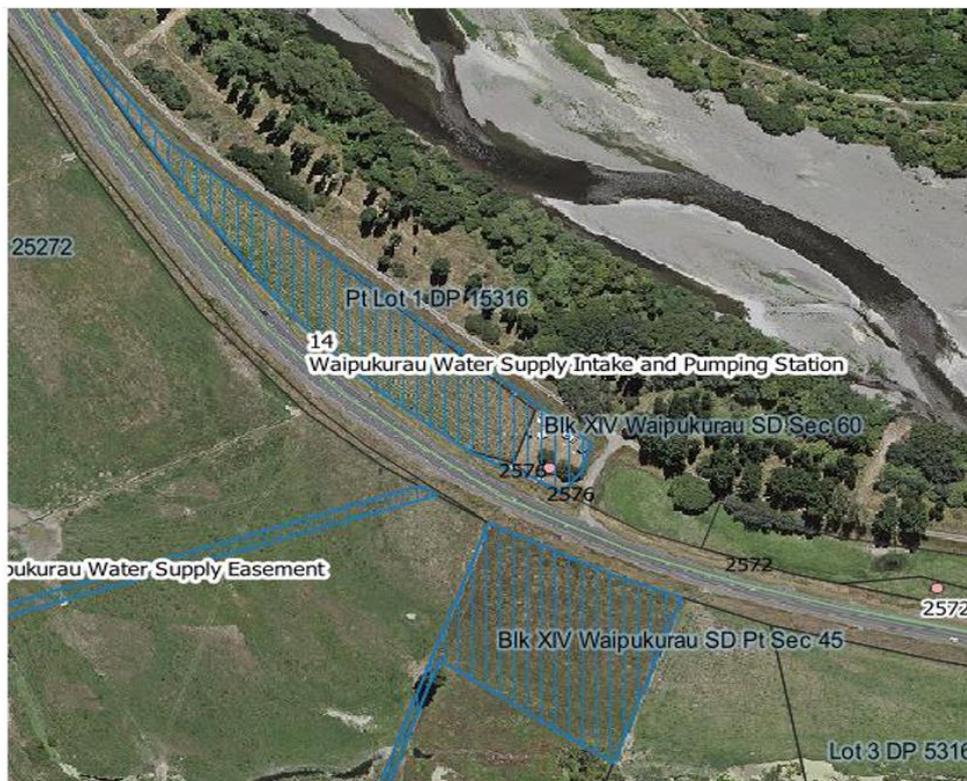


Figure 7: Proposed extent of designation CHBDC-110



4.3.68 The increase in the designation boundary takes in all of Blk XIV Waipukurau SD Pt Sec 45 and all of Pt Lot 1 DP 15316 which was not included in the designation in the operative plan. There are no conditions proposed and no further definition of the purpose of this designation

to understand the full extent of the effects on the environment and neighbours by this proposed increase in area.

4.3.69 S168A Analysis

<p>...consider the effects on the environment of allowing the requirement</p>	<p>I am unable to make an assessment of effects on the environment as sufficient detail has not been provided with the NOR.</p>
<p>(a) Any relevant provisions of – i. A national policy statement: ii. A New Zealand coastal policy statement: iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and</p>	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Hawke’s Bay Regional Policy Statement: Objectives – Surface Water Quantity OBJ 25: <i>The quantity of water in wetlands, rivers and lakes is suitable for sustaining aquatic ecosystems, for achieving other freshwater objectives, and ensuring resource availability for a variety of purposes across the region, while recognising the impact caused by climatic fluctuations in Hawke’s Bay.</i> OBJ 26: <i>The avoidance of any significant adverse effects of water takes, uses, damming or diversion on lawfully established activities in surface water bodies.</i> POL 35: <i>Regulation - Water Allocation:</i> (a) <i>To manage the taking of water where the effects of that take may be more than minor.</i> (b) <i>To manage the cumulative adverse effects of small takes, particularly in catchments:</i> (i) <i>That are located in an area of low annual rainfall.</i> (ii) <i>Where the geology has a low storage capacity</i> (iii) <i>for which the location is such that there is a high potential for increased use.</i></p> <p>Comment:</p> <p>The NOR modification request to increase the area allocated to this designation has not considered the above objectives and policies, there has been no assessment on the effect of increasing the water take from the Tukituki River.</p> <p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment:</p> <p>The NOR modification request has not provided any information on what the “construction” of proposed equipment would be, there is no consideration of how the construction of future infrastructure would avoid, remedy or mitigate adverse effects on the environment.</p> <p>Proposed District Plan: NU-Network Utilities</p>	

Objectives: NU-01: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-02: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-03: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

As previously stated, the NOR proposes a large modification to the existing designation with no information on what could be built and the effects of this infrastructure on the environment.

I consider that this NOR is inconsistent with all above objectives and policies.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“This is an existing site and been in use for a number of years. No new or additional consultation has been undertaken and is not required.”</i></p> <p>I consider that this is incorrect as the area proposed to expansion is significantly larger than what the existing designation covers.</p> <p>There is no indication as to whether the requiring authority has sufficient authority over the land.</p> <p>There have been no assessment of adverse effects provided.</p>
<p>(i) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The Requiring Authority has not provided any assessment against this point.</p>
<p>(j) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I do not consider that sufficient information has been provided by the requiring authority to determine the suitability of the rollover and modification of this designation.</p>

4.3.70 No submissions have been received.

4.3.71 I recommend that the Council provide further information on the rollover and modification of the designation and changes proposed prior to the hearing.

4.4 CHBDC’s Notices of Requirement Rollover no modifications one submission

Ruataniwha Water Storage Scheme Distribution System CHBDC-72

4.4.1 CHBDC has lodged a NOR to request the rollover of the designation for the Ruataniwha Water Storage Scheme Distribution System. I understand this designation was incorporated into the Operative District Plan through a ‘Register of Amendments’ to the Plan, although it does not appear in the electronic version of the Plan.

4.4.2 Condition 2 of the General Conditions for the designation states:

4.4.3 “Pursuant to Section 125(1) of the Resource Management Act 1991, the designation will lapse if not given effect to within 10 years of the commencement of this designation” and the rollover requests that the lapse date remain as 20 December 2026.

4.4.4 CHBDC have not requested any modification to this designation.

4.4.5 One submission was received:

Plan Provision	Submission point	Submitter	Position	Summary of reasons	Summary of decision requested
CHBDC-Central Hawke’s Bay District Council	S120.026	Heretaunga Tamatea Settlement Trust	Support	Heretaunga Tamatea Settlements Trust (HTST) supports the CHBDC designation of the Ruataniwha Water Storage Scheme Distribution system. HTST considers that a reliable source of stored and distribution of stored water is essential to ensure the ongoing productive capacity of the rural areas of the district. The distribution network also has the ability to provide environmental enhancement to the water of the district which HTST consider to	Retain designation ‘CHBDC-72 – Ruataniwha Water Storage Scheme Distribution System’

				the essence of life for the region.	
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Analysis

- 4.4.6 As the rollover requested no modification, and the only submission is in support, I am satisfied that the designation continues to be appropriate under the relevant statutory tests.
- 4.4.7 The lapse date of this designation is 20 December 2026 and I am satisfied that if the designation is not given effect to by that time, it will lapse unless CHBDC make a successful application pursuant to s184(2)(b).
- 4.4.8 The submission in support provided by HTST can be accepted as this submission does not request any changes to the designation.

4.5 Recommendations

- 4.5.1 For the reasons given above, it is recommended that the hearings panel recommend to the Council that it:
- (a) With regards to CHBDC-7, I am not in a position to make a recommendation as noted above. I recommend that the requiring authority produce evidence and attend the hearing to provide further information about "construction" including an assessment of effects for the NOR.
 - (b) Confirms Designations CHBDC-19, CHBDC-34, CHBDC-35, CHBDC-36, CHBDC-70, CHBDC-74, CHBDC-75, CHBDC-81 & CHBDC-109.
 - (c) Reject the submission by Mr Delugar (S20.001).
 - (d) Recommend to CHBDC that it confirms Designations CHBDC-9, CHBDC-10, CHBDC-12, CHBDC-31, CHBDC-37, CHBDC-45, CHBDC-46, CHBDC-53, CHBDC-59, CHBDC-74, CHBDC-83, CHBDC-84, CHBDC-97 & CHBDC-106-, with the modifications requested.
 - (e) Confirm Designation CHBDC-72.
 - (f) Accept the submission by Heretaunga Tamatea Settlement Trust (S120.026)
 - (g) Reject modification to CHBDC-110 unless further sufficient information is provided at/or before the hearing.
 - (h) Recommend CHBDC confirm designation CHBDC-59 with the correct spelling of Ambercromby.
 - (i) Recommend CHBDC confirm designation CHBDC-83 with the correct spelling of Paulsen
 - (j) Recommend CHBDC confirm designation CHBDC-97 with the correct spelling of Johnson.
 - (k) Recommend CHBDC confirm designation CHBDC-106 with the correct spelling of Pukeora Scenic Road.

5.0 CNZ – Chorus NZ Ltd

5.1 CHBDC – PDP, as notified, included these designations

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
CNZ-1	Elsthorpe	Telecommunication and radio communication and ancillary purposes.	2195 Elsthorpe Road, Elsthorpe	1011m ²	Section 8 SO 1839	Rollover – formerly designation #178. Modifications proposed. Two submissions received in support.
CNZ-2	Ongaonga	Telecommunication and radio communication and ancillary purposes.	54 Mill Street, Ongaonga	278m ²	Blk 351 Ruataniwha CGD	Rollover – formerly designation #179. Modifications proposed. Two submissions received in support.
CNZ-3	Otāne	Telecommunication and radio communication and ancillary purposes.	South of Ross Street, Otāne	370m ²	Section 1 SO 6624	Rollover – formerly designation #189. Modifications proposed. Two submissions received in support.
CNZ-4	Porangahau	Telecommunication and radio communication and ancillary purposes.	7A Abercromby Street, Porangahau	188m ²	Lot 2 DP 22813	Rollover – formerly designation #180. Modifications proposed. Two submissions received in support.
CNZ-5	Takapau	Telecommunication and radio communication and ancillary purposes.	62 Charlotte Street, Takapau	581m ²	Lot 2 DP 21122	Rollover – formerly designation #182. Modifications proposed. Two submissions received in support.
CNZ-6	Takapau	Telecommunication and radio communication and ancillary purposes.	413 Rangitoto Road, Takapau	1719m ²	Pt Lot 1 DP 1925	Rollover – formerly designation #186. Modifications proposed. Two submissions received in support.
CNZ-7	Tikokino	Telecommunication and radio	1A Owen Street, Tikokino	197m ²	Part Town Section 178 Hampden	Rollover – formerly designation #183. Modifications proposed. Two submissions received in support.

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
		communication and ancillary purposes.				
CNZ-8	Waipukurau	Telecommunication and radio communication and ancillary purposes.	8 Porangahau Road, Waipukurau	1322m ²	Lot 2 DP 23019	Rollover – formerly designation #184. Modifications proposed. Two submissions received in support.
CNZ-9	Waipawa	Telecommunication and radio communication and ancillary purposes.	High Street, Waipawa	411m ²	Lots 1 and 2 DP 3917	Rollover – formerly designation #185. Modifications proposed. Two submissions received in support.
CNZ-10	Old Hill Road	Telecommunication and radio communication and ancillary purposes.	Within 546 Old Hill Road, Porangahau	25m ²	Lot 1 DP 25855	Rollover – formerly designation #188. Modifications proposed. Two submissions received in support.
CNZ-11	Wanstead	Telecommunication and radio communication and ancillary purposes.	1806 Porangahau Road, Wanstead	278m ²	Section 1 Survey Office Plan 6723	Rollover – formerly designation #187. Modifications proposed. Two submissions received in support.

5.2 Chorus NZ (CNZ) Notices of Requirements for Rollovers/Modifications

5.2.1 Chorus NZ (CNZ) has applied to rollover eleven existing designations, all with the same modifications proposed.

5.2.2 Chorus NZ have provided a NOR to rollover the designations that have not lapsed. There are no proposed works as a result of the NOR and the NOR states that the designations to be rolled over all relate to established telecommunications sites. The purpose of the designations is:

"Telecommunications and radio communication and ancillary purposes"

5.2.3 Chorus states that the designations are to:

"ensure the on-going security and resilience of essential services, and to provide for flexibility for the networks to adapt the changing technologies and community expectations."

5.2.4 The NOR requests the following modifications:

- Changing the name of the Requiring Authority from Telecom New Zealand Limited to Chorus New Zealand Limited.

5.2.5 The NOR has requested the removal of all conditions associated with the above designations, as stated in the Operative Plan being:

5.2.6 Conditions to Telecom NZ Ltd Designations:

A. *Designations 178 (Elsthorpe), 179 (Ongaonga), 180 (Porangahau – Abercrombie/Franklin Streets), 181 (Porangahau – Keppel Street), 182 (Takapau) and 183 (Tikokino) are subject to the following conditions:*

1. *Maximum height of buildings – 8 metres*
2. *Maximum height of antenna, dish antenna or associated structure including support structures – 11.5 metres.*
3. *Minimum setback for a utility building from road boundary – 3 metres.*
4. *Minimum setback for a utility building from internal boundaries – 1.5 metres.*
5. *Recession Lines – no part of a building shall exceed a height of 2m plus the shortest horizontal distance between that point of the building and the nearest site boundary.*
6. *Maximum width of dish antennae (not including any attachment structure) – 1.5 metres diameter.*
7. *That any facilities which produce radio frequency shall at all times comply with the New Zealand Standard NZS 2772.1:1999 Radio Frequency Fields Part 1 Maximum Exposure Levels – 3kHz – 300GHz, at any point where the public can reasonably gain access.*
8. *The requiring authority shall notify the Council of any proposed changes at a designated site, which will have the effect of introducing radio frequency exposure in publicly accessible areas around the facility to a level of greater than 25% of the applicable maximum exposure in NZS 2772.1:1999, a measurement survey shall be undertaken by a suitably qualified independent radiation monitoring authority once the changes have been installed and commissioned, and the results provided to Council.*

B. *Designations 184 (Waipukurau), 185 (Waipawa) are subject to the following conditions:*

1. *Maximum height of buildings – 12 metres.*
2. *Maximum height of antenna, dish antenna or associated structures including support structures – 20 metres.*
3. *Maximum width of dish antennae – 3 metres diameter.*
4. *The same condition as that of condition 7 for designations 178-183 in A: above.*
5. *The same condition as that of condition 8 for designations 178-183 in A: above.*

- C. Designations 186 (Takapau), 187 (Wanstead), and 188 (Cutbrush Ridge) are subject to the following conditions:
1. The same condition as that of condition 7 for designations 178-183 in A: above.
- D. Designation 189 (Otane) is subject to the following conditions:
1. Maximum height of buildings - 10 metres.
 2. Maximum height of antenna, dish antenna or associated structures including support structures – 25 metres.
 3. Maximum setback for a utility building from road boundary – 5 metres.
 4. Minimum setback for a utility building from internal boundaries – 5 metres.
 5. Recession Lines – no part of a building shall exceed a height of 2m plus the shortest horizontal distance between that point of the building and the nearest site boundary.
 6. Maximum width of dish antennae – 3 metres diameter.
 7. The same condition as that of condition 7 for designations 178-183 in A: above.
 8. The same condition as that of condition 8 for designations 178-183 in A: above.

5.2.7 The purpose of this modification is:

"It is considered that these conditions are not required. The Outline Plan of Works process (which requires an environmental effects assessment) is preferred as a means to provide any necessary bespoke considerations if changes are sought to the existing sites. This process will allow for better alignment with permitted standards in the District Plan and the National Environmental Standard for Telecommunications Facilities."

S171 Analysis

5.2.8 Chorus NZ were approached by Council in May 2021 to provide an Assessment of Environmental Effects to accompany the NOR, as no effects assessment has been undertaken. In an email dated 03 May 2021, Ms K Haylock, from Incite Resource and Environmental Management, states:

"We are finding it difficult to provide an assessment of effects requested, given there are no physical changes proposed through the NOR."

As outlined in the NOR, the key rationale behind removing the conditions is to create better alignment with the District Plan and NESTF permitted activity standards, rather than having bespoke conditions which differ to these two other documents.

If any changes were proposed to the facilities which were over and above what is permitted (either in the District Plan or the NESTF as relevant), an outline plan of works would be required. It is considered that this would provide the opportunity to assess any potential effects at this point."

5.2.9 Further discussions with Mr T Anderson from Incite in the lead up to the release of this report has clarified the background behind why Chorus have requested the removal of the conditions. While an outline plan of works would be required for any work on the designated sites, Chorus will often use the performance standards of a District Plan (in this instance these would be found in the NU-Network Utility chapter and the underlying zone chapters) to be used as a benchmark to determine whether an outline plan of works will be required or if a waiver can be granted by Council pursuant to s176A(1)(c).

5.2.10 I am not persuaded that this is a complete answer. It is useful to compare the situation pre and post removal of conditions.

5.2.11 Currently, if work did not comply with the conditions of the designation, it would not be authorised by the designation and would need to either comply with the permitted activity National Environmental Standard or District Plan rule(s), or if it did not, then Chorus would need to apply for consent. At that point, Council would assess the application including for notification. Alternatively, the requiring authority could apply to vary or cancel the condition not complied with, and that would be assessed under Part 8, including as to notification. With

the conditions removed, then anything that falls within the designation’s purpose of “Telecommunications and radio communication and ancillary purposes” would be authorised by the designation. An outline plan of works could be required, and an assessment made against the NES and District Plan requirements, but:

- There is no ability to require consultation or notification of affected persons.
- The Council may request changes, but the requiring authority does not need to make them.

5.2.12 Chorus have not provided a comparison between the conditions that they want removed and the performance standards in the PDP and the NES-TF, therefore it is difficult to undertake an assessment of the effects of removing these conditions.

5.2.13 I have undertaken a comparison between the conditions proposed to be deleted and the performance standard found in the PDP for reference. This comparison is below.

Current ODP conditions	Proposed PDP Performance Standards (Network Utility Chapter) Updated from the officers s42A report - Network Utilities.
Township Zone – Designations 178 (Elsthorpe), 179 (Ongaonga), 180 (Porangahau – Abercrombie/Franklin Streets), 182 (Takapau) and 183 (Tikokino)	Settlement Zone – Designations CNZ-1 (Elsthorpe), CNZ-2 (Ongaonga), CNZ-4 (Porangahau – Abercrombie/Franklin Streets), CNZ-5 Takapau and CNZ-7 Tikokino
1. <i>Maximum height of buildings -8m</i>	NU-S3 Maximum height of buildings – 3.5m
2. <i>Maximum height of antenna, dish antenna or associated structured including support structures – 11.5 metres</i>	NU-S3 Where an antenna is attached to a building, the top of the antenna must not be more than 5m above the point of the building to which it is attached. Above ground structures (poles, towers, and telecommunication poles, including combined height of pole and antenna) must not exceed a height of 13m.
3. <i>Minimum setback for a utility building from road boundary – 3 metres.</i>	NU-S2 Any part of an above ground building or structure (located outside the road reserve) - 1.5m Except that this standard does not apply to poles with a diameter of 600mm or less, and any permitted attachments to the poles. Within the road reserve – no setback requirement
4. <i>Minimum setback for a utility building from internal boundaries – 1.5 metres.</i>	As above
5. <i>Recession Lines – no part of a building shall exceed a height of 2m plus the shortest horizontal distance between that point of the building and the nearest site boundary.</i>	NU-S4 Above ground buildings or structures (except those located within road reserve) must not exceed a height of 2m plus the shortest horizontal distance between that part of the building or structure and the

	<p>nearest site boundary (but excluding a road boundary).</p> <p>Except that:</p> <p>Where the nearest site boundary immediately adjoins an access or part of an access held in the same ownership (wholly or partly) as the site on which the above ground building or structure is located, or it adjoins a registered right of way in favour of the site of the building or structure, the height in relation to boundary must be measured from the far side of the access or right of way.</p> <p>This standard does not apply to poles with a diameter of 600mm or less, and any permitted attachments to the poles.</p>
<p>6. <i>Maximum width of dish antennae (not including any attachment structure) – 1.5 metres diameter.</i></p>	<p>NU-S1 (2) A dish antenna must not exceed 1.2m in diameter.</p>
<p>7. <i>That any facilities which produce radio frequency shall at all times comply with the New Zealand Standard NZS 2772.1:1999 Radio Frequency Fields Part 1 Maximum Exposure Levels – 3kHz – 300GHz, at any point where the public can reasonably gain access.</i></p>	<p>NU-S7</p> <p>If generating radio frequency fields, the activity must not exceed the maximum exposure level of the general public in New Zealand Standard NZS 2772.1:1999 Radiofrequency fields – Maximum exposure levels – 3kHz to 300GHz.</p>
<p>8. <i>The requiring authority shall notify the Council of any proposed changes at a designated site, which will have the effect of introducing radio frequency exposure in publicly accessible areas around the facility to a level of greater than 25% of the applicable maximum exposure in NZS 2772.1:1999, a measurement survey shall be undertaken by a suitably qualified independent radiation monitoring authority once the changes have been installed and commissioned, and the results provided to Council.</i></p>	<p>This would not be possible without a Non-Complying activity resource consent.</p>
<p>Business Zone - Designations 184 (Waipukurau) and 185 (Waipawa)</p>	<p>Commercial Zone - Designations CNZ-8 Waipukurau and CNZ-9 Waipawa</p>
<p>1. <i>Maximum height of buildings – 12 metres.</i></p>	<p>NU-S3</p>

	Maximum height of above ground buildings must not exceed a height of 5m.
2. <i>Maximum height of antenna, dish antenna or associated structures including support structures – 20 metres.</i>	<p>NU-S3</p> <p>Where an antenna is attached to a building, the top of the antenna must not be more than 5m above the point of the building to which it is attached.</p> <p>Above ground structures (poles, towers, and telecommunication poles, including combined height of pole and antenna) must not exceed a height of 17m.</p>
3. <i>Maximum width of dish antennae – 3 metres diameter.</i>	<p>NU-S4</p> <p>Maximum width of a dish antenna must not exceed 3m in diameter.</p>
4. <i>The same condition as that of condition 7 for designations 178-183 in A: above.</i>	As above
5. <i>The same condition as that of condition 8 for designations 178-183 in A: above.</i>	As above
Rural Zone – Designations 186 (Takapau), 187 (Wanstead) and 188 (Cutbrush Ridge)	General Rural – CNZ-6 (Takapau), CNZ-11 (Wanstead) and CNZ-10 (Old Hill Road)
1. <i>The same condition as that of condition 7 for designations 178-183 in A: above.</i>	As above
Rural Zone - Designation 189 (Otane)	Rural Production Zone – CNZ-3 (Otane)
1. <i>Maximum height of buildings - 10 metres.</i>	<p>NU-S3</p> <p>Above ground buildings must not exceed a height of 5m.</p>
2. <i>Maximum height of antenna, dish antenna or associated structures including support structures – 25 metres.</i>	<p>NU-S3</p> <p>Where an antenna is attached to a building, the top of the antenna must not be more than 5m above the point of the building to which it is attached.</p> <p>Above ground structures must not exceed a height of 25m.</p> <p>This is further supported by the provisions in the NES-TF.</p>
3. <i>Maximum setback for a utility building from road boundary – 5 metres.</i>	<p>NU-S2</p> <p>Any part of an above ground building or structure (located outside the road reserve) - 5m</p> <p>Except that this standard does not apply to poles with a diameter of 600mm or less, and any permitted attachments to the poles.</p> <p>Within the road reserve – no setback requirement</p>
4. <i>Minimum setback for a utility building from internal boundaries – 5 metres.</i>	As above
5. <i>Recession Lines – no part of a building shall exceed a height of 2m plus the</i>	NU-S4

<p><i>shortest horizontal distance between that point of the building and the nearest site boundary.</i></p>	<p>Above ground buildings or structures (except those located within road reserve) must not exceed a height of 2m plus the shortest horizontal distance between that part of the building or structure and the nearest site boundary (but excluding a road boundary). Except that:</p> <p>Where the nearest site boundary immediately adjoins an access or part of an access held in the same ownership (wholly or partly) as the site on which the above ground building or structure is located, or it adjoins a registered right of way in favour of the site of the building or structure, the height in relation to boundary must be measured from the far side of the access or right of way.</p>
<p>6. <i>Maximum width of dish antennae – 3 metres diameter.</i></p>	<p>NU-S4 Maximum width of a dish antenna must not exceed 3m in diameter.</p>
<p>7. <i>The same condition as that of condition 7 for designations 178-183 in A: above.</i></p>	<p>As above</p>
<p>8. <i>The same condition as that of condition 8 for designations 178-183 in A: above.</i></p>	<p>As above</p>

5.2.14 The NES-TF may also be relevant as this provides rules for telecommunication facilities which override the PDP rules where applicable, and sometimes override a designation (see s 43D RMA).

5.2.15 I do consider that with the removal of the conditions, further information in the purpose of the designation would assist the Council and neighbours to these designated sites to understand in better detail what is provided for on each site and what could be provided in the future.

5.2.16 In the preparation of this report, Council contacted Chorus and have received a more detailed list of ancillary equipment that could be found on each designation. This is listed below.

5.2.17 I recommend that Chorus update the Purpose of all CNZ Designations to include (but not be limited to) the information provided in section 3, Nature of the Proposed Works:

A range of different equipment may be required on these sites to support telephone and internet services which may be by fixed line and/or wireless means. This may include:

- *A building for housing equipment*
- *A mast or masts to supports antennas*
- *Antennas*
- *Back up electricity generators (engine alternators) and associated diesel fuel storage*
- *Air conditioning plant*
- *On-site parking for technicians.*
- *Diesel Generators*
- *Diesel fuel storage*

- *Switchboards*
- *Air Dryers*
- *Fire detection*
- *Power supplies (Rectifiers)*
- *Security systems and CCTV*
- *Solar panels and batteries (although rarely on designated exchanges)*

5.2.18 This would make it clear what the Outline Plan of Works could encompass and clarify when a Land Use Consent under S9 of the RMA 1991 may be required.

5.2.19 S171 Analysis

<p>...consider the effects on the environment of allowing the requirement</p>	<p>While all designated locations are staying the same, without an assessment of the comparison between what could occur on each site with the removal of the conditions, I am unable to undertake an assessment of effects.</p> <p>I consider that Chorus should attend the hearing and provide further information to the hearings panel on the effect of removing the conditions from the designations.</p>
<p>(a) Any relevant provisions of –</p> <ol style="list-style-type: none"> i. A national policy statement: ii. A New Zealand coastal policy statement: iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment: Through the process of preparing this assessment report, Chorus have provided further information on the activities and infrastructure that could be carried out on the designated sites. Generally, the works undertaken are expected to be within the permitted activity standards of the District Plan and can be designed and constructed to meet the above objectives and policies.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-O1: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i> NU-O2: <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i></p>	

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The objective of the Chorus NOR is to provide for the on-going security and resilience of essential services and to provide for flexibility for the networks to adapt. The Chorus network enables people and communities to provide for their health, safety and wellbeing and this NOR and rollover of existing designations is consistent with NU-O1.

Any future works on the designated sites will be undertaken either as permitted activities, through outline plans or through resource consent processes, with any effects on the environment considered if appropriate. The NOR is not inconsistent with NU-O2 or NU-O3.

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>The NOR states that no alternatives have been considered as:</p> <p><i>“As the requirement relates to existing telecommunication and radiocommunication sites, a consideration of alternative sites has not been undertaken.</i></p> <p><i>The principle alternative method would be to not designate the sites, which is not favoured as it would not give Chorus or Spark the long-term certainty it requires for ongoing operation and upgrading of these sites.”</i></p> <p>I am satisfied that as each of these sites has been given effect to, no alternative locations are appropriate.</p>
<p>(k) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>Chorus have not stated an objective in their NOR, however, I assume from the documentation that the objective of the Chorus NOR is to provide for the on-going security and resilience of essential services and to provide for flexibility for the networks to adapt.</p> <p>The designations allow Chorus to achieve this objective.</p>
<p>(l) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>I consider that sufficient information has been provided to make a recommendation.</p>

5.2.20 Two designations:

- CNZ5 – Takapau
- CNZ6 – Takapau Radio

5.2.21 Have the primary designation with CNZ and a secondary designation with Spark New Zealand Trading Limited (SPK), these are included in the SPK designations list as well.

5.2.22 Two submissions were received in support:

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
CNZ – Chorus New Zealand Limited	S117.068	Chorus New Zealand Limited	Support	The Designations detailed in the Proposed Plan for Chorus give effect to the Designation Rollover Notice of Requirement lodged, as well as the National Planning Standards. No changes are necessary.	Retain 'CNZ – Chorus New Zealand Limited' designations [CNZ – 1 to CNZ – 11] as notified.
CNZ- Chorus New Zealand Limited	S118.068	Spark New Zealand Trading Limited	Support	The Designations detailed in the Proposed Plan for Chorus give effect to the Designation Rollover Notice of Requirement lodged, as well as the National Planning Standards. No changes are necessary.	Retain 'CNZ – Chorus New Zealand Limited' designations [CNZ – 1 to CNZ – 11] as notified.

5.2.23 I consider that the above submissions can be accepted.

5.2.24 There is an error in the information available in the PDP online, with a previous version of the NOR submitted by Chorus, which included the rollover of the following designation:

Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
Keppel Street	Telecommunication and radio communication and ancillary purposes.	29 Keppel Street, Porangahau	1757m ²	Lot 1 DP 22802	Rollover – formerly designation #181. Modifications proposed. Two submissions received in support.

5.2.25 This NOR was superseded by a second NOR dated 21/11/2019 which sought to remove this designation. The Keppel Street designation has not been shown on the PDP Maps and was not included in any further information provided for submissions. This designation will not be rolled over as requested by Chorus NZ.

5.3 Recommendations

- 5.3.1 At the time of writing this report I am unable to make a recommendation to the Hearing's Panel in respect of the request to remove the conditions which apply to the designations in the operative plan and request that Chorus NZ be present at the hearing to provide evidence to further discuss:
- The effects of the removal of the conditions from the designations, including a comparison between the conditions and the performance standards required by the PDP and NES-TF.
 - I am unable to make a recommendation on the submission by Chorus NZ Ltd (S117.068) until further information is provided at or before the hearing.
 - I am unable to make a recommendation on the submission by Spark New Zealand Trading Ltd (S118.068) until further information is provided at or before the hearing.

6.0 FGL – First Gas Ltd

6.1 The CHBDC – PDP, as notified, included this designation

Gas Transmission Network	
Designation Unique Identifier	FGL-1
Designation Purpose	The ongoing operation and maintenance of the Gas Transmission Network within the Central Hawke’s Bay District, inclusive of above ground incidental equipment.
Site identifier	Various
Lapse Date	Given Effect
Conditions	Yes
Status	New Notice of Requirement

6.1.1 FGL has applied by way of a NOR for a designation along their gas transmission network, described as:

“The designation starts at CHBDC’s district boundary with Tararua District near State Highway 2 in the south, then heads north-east towards the outskirts of the settlement of Takapau. The designation then heads north over pastoral farmland and the Makaretu, Tukipo, Tukituki and Waipawa rivers and adjacent to Argyll Road until it reaches the boundary with Hastings District north-east of Tikokino.”

6.1.2 While not shown as a designation previously, this pipeline has been indicated on the Planning Maps of the Operative District Plan as a Notation called the “Kapuni Gas Pipeline”. The NOR from FGL notes

“That the sites comprising the gas transmission network either contain a legal easement in favour of the Gas Transmission Pipeline, statutory rights pursuant to the provisions of the Petroleum Act 1937 or are owned by Firstgas.”

“There are three parcels of land over which Firstgas do not have a registered easement for the pipeline.”

6.1.3 The NOR outlines the land use related activities required to access, operate and maintain and the Gas Transmission Network, which typically include (but are not limited to) the following:

Primary Activities	Secondary Activities
Small scale utility structures and buildings	<ul style="list-style-type: none"> • Earthworks • Vegetation clearance • Construction related activity and noise • Operational noise
Maintenance (including repair and/or replacement) of the Gas Transmission Network	<ul style="list-style-type: none"> • Earthworks to access and reinstate land, including near/adjacent to waterbodies. • Vegetation clearance • Construction related activity and noise
Gas flaring and venting	<ul style="list-style-type: none"> • Temporary odour for gas detection purposes • Temporary noise during emission of gas • Construction related activity and noise • Temporary visible/light effect (flame)
Maintaining and enabling access	<ul style="list-style-type: none"> • Earthworks • Vegetation clearance

6.1.4 The Gas Transmission Network comprises:

6.1.5 The land 6m on either side of the Gas Transmission Pipeline (aligning with the 12m gas easement), and

6.1.6 All associated above or below-ground fitting, appurtenance, fixture or equipment required for the conveyance of the product or material in the pipeline and/or for its safe, efficient or effective operation.

6.1.7 The NOR goes on to list the restrictions on other parties:

“The restrictions that would apply are only on those activities that are likely to affect the operation, maintenance, integrity, condition and/or function the Gas Transmission Network that may prevent Firstgas from delivering a safe, effective and efficient network.

The restrictions proposed under the designation are:

That no person may, within the designated area, undertake the following activities without the express written approval of Firstgas:

- *Installation of services*
- *Roading*
- *Fencing*
- *Excavation and Filling*
- *Driveways and Carparks*
- *Structures*

6.1.8 Conditions

Approvals of third party works:

Where applicable, the process implemented for providing Firstgas approval shall incorporate, or be incorporated into, the process for granting easement access to the gas network such that a single process for both requiring authority approvals and gas easement approvals is implemented unless otherwise requested by the party seeking approval.

Conditions applying to Firstgas for works within the designation:

1. *Firstgas shall be exempt from providing an Outline Plan of Works for ongoing maintenance works (including the repair and replacement of existing assets) enabled by this designation.*
2. *Accidental Discovery Protocol condition*

Advice note:

1. *This designation does not override any prior (primary) designations that may already be in place. Firstgas must obtain approval from any requiring authority holding a prior designation, in accordance with the provisions and requirements of that designation, for works/activities undertaken within the designated area. Some sections of the designation are or will be covered by other designations in addition to this designation, in which case multiple requiring authority approvals may be required for activities in these areas.”*

6.1.9 **S171 Analysis**

<p>...consider the effects on the environment of allowing the requirement</p>	<p>I agree with the adverse effects assessment put forward by the applicant in their NOR, primarily that:</p> <ul style="list-style-type: none"> - The Pipeline and all associated infrastructure is in place already and there are no plans at present to undertake any modifications - All above ground infrastructure forms part of the existing environment and there are no further visual effects from what is currently experienced. - There may be some temporary noise, discharge and nuisance effects from the on-going operation and maintenance of the pipeline, including the venting of gas. These effects are temporary and any discharge consents will be applied for with the
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	<p>Hawke's Bay Regional Council, ensuring that the effects are mitigated and managed.</p> <ul style="list-style-type: none"> - There are no known significant cultural sites along the designation alignment and the applicant offers an accidental discovery protocol condition as part of the designation.
<p>(a) Any relevant provisions of –</p> <ul style="list-style-type: none"> i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i> 10.2.1 Objective: <i>The establishment, use and maintenance of utilities, necessary for the well-being of the community.</i></p> <p>Comment: The Firstgas pipeline has been installed and there is no proposal for further construction or installation to the pipeline. The NOR states that the purpose is for the ongoing operation and maintenance of the pipeline and I am satisfied that there will be minimal effects on the environment by this NOR. The above objectives and policies are met.</p> <p>Proposed District Plan: NU-Network Utilities Objectives: NU-01: <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i> NU-02: <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i> NU-03: <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p> <p>Comment: The NOR is to provide for a designation over an existing pipeline, there is no plan to modify the pipeline or any infrastructure other than small scale modification, operations and maintenance. I am satisfied that the NOR is consistent with the above objectives and policies.</p>	

<p>(b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <p>i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>ii. It is likely that the work will have a significant adverse effect on the environment; and</p>	<p>No alternative sites or routes can be considered as the pipeline is already in place and no further modification or extension to the pipeline is proposed. The AEE states: <i>“This NOR relates to a physically constructed and operated asset – the Gas Transmission Network. Therefore, there has been no assessment of alternative sites or routes. In summary:</i></p> <ul style="list-style-type: none"> • <i>The work and designation are reasonably necessary for achieving Firstgas's objectives for which designation is sought.</i> • <i>There is interest in the land over which the existing gas pipeline and other assets exist sufficient for undertaking the works and</i> • <i>It is not likely that the operation and maintenance work on an existing asset will have a significant adverse effect on the environment. “</i> <p>I concur with the above statement and do not consider any further alternative locations need to be considered.</p>
<p>(c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and</p>	<p>The objectives of the designation are to:</p> <p>a) enable the safe, efficient and effective operation and maintenance (including repair and replacement of assets and the ability to achieve access) of the Gas Transmission Network and</p> <p>b) provide statutory protection to safeguard the integrity of the Gas Transmission Network.</p> <p>I consider that the designation provides certainty to Firstgas as the primary requiring authority, ensuring that their asset is protected. Further, the restrictions on what land owners can do within designated areas without the prior approval of the requiring authority, assists the requiring authority in providing for the safe and efficient operation of the gas network.</p>
<p>(d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.</p>	<p>In order to provide a recommendation, I consider that the following information has yet to be provided by the requiring authority:</p> <ul style="list-style-type: none"> - Further assessment on the purpose of the designation, I consider the list of land use related activities will be appropriate to include in the purpose. - Further information on the proposed conditions and recommended modification to conditions.

6.1.10 Consultation

- 6.1.11 The applicant did not undertake any consultation as they considered that the effects of the designation on the environment and other parties to be insignificant and all works, structures and activities are in place already.
- 6.1.12 CHBDC considered it prudent to advise all landowners that the pipeline traverses of this NOR as part of the notification of the PDP and fifty landowners were notified by letter in May 2021.
- 6.1.13 No submissions have been received.
- 6.1.14 With regards to the three Lots that do not currently have an easement or any other statutory instrument to provide Firstgas access to the property, these are:
- 6.1.15 Closed Road SO Plan 3638:
- 6.1.16 This was previously legal road and therefore an easement was not able to be registered over this land at the time of pipeline installation. This is shown in figure 8 below, it is listed as Closed Road on the Council system and appears to be part of an old paper road that was never utilised. The surrounding land owner was notified of this NOR and no submissions were received:

Figure 8: Closed Road with proposed designation position



- 6.1.17 I do not consider there to be any adverse effect on the underlying land owner of the closed road by this designation.
- 6.1.18 Lot 1 DP 16667:
- 6.1.19 Is subject to a gazette notice defining the route of the pipeline over this land parcel. This piece of land is known as 958 Ashcott Road in the Council system and the pipeline is shown as not traversing this property, but running near to the southern corner as seen in Figure 9. The land owners were notified and no submission was received.

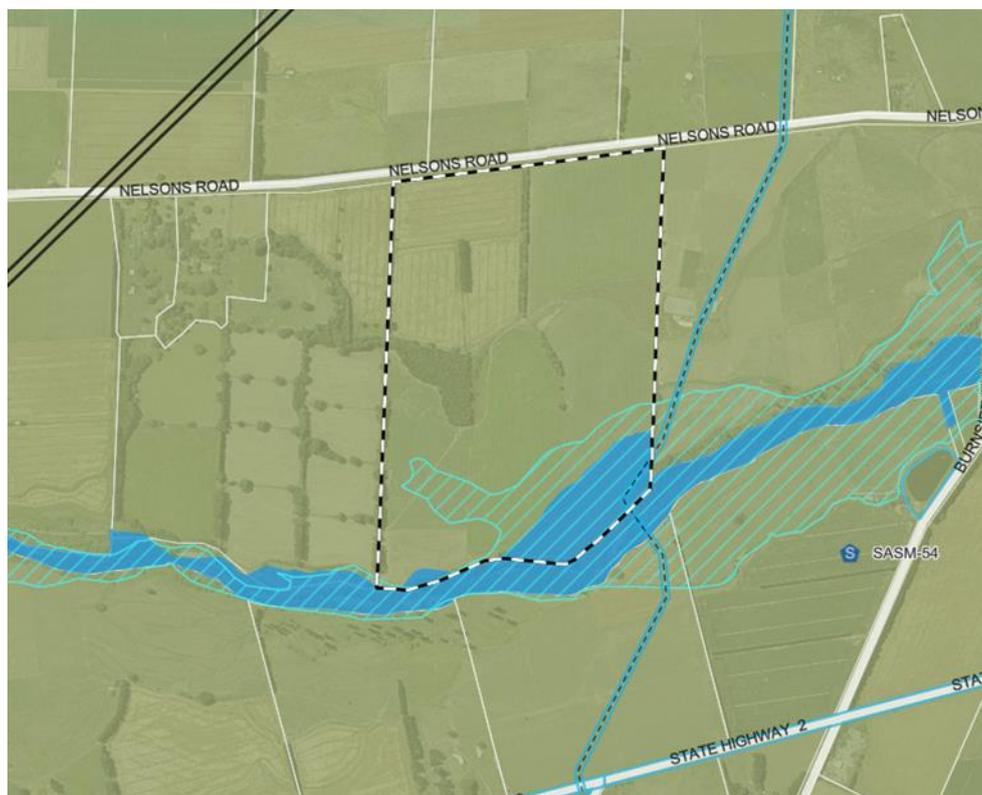
Figure 9: Lot 1 DP 16667 (FGL designation is in blue)



6.1.20 Part Lot 1 DP 408068

6.1.21 Is subject to a proclamation, this Lot is located south of Nelsons Road and the owners were notified. No submission was received. This property is shown in Figure 10 below.

Figure 10: Part Lot 1 DP 408068



6.1.22 Overall, I am satisfied that all persons who are affected by way of the Gas Transmission Network being within their property have been notified by way of a letter as part of the notification process of the PDP. No submissions were received.

6.1.23 Summary of analysis

6.1.24 While I concur that a designation is an appropriate method to manage the pipeline, I do not consider that enough information is provided in the purpose of the designation to provide surety to the Council and surrounding landowners as to the activities that could occur as part of this designation. I consider that the land use related activities that have been put forward by Firstgas in their NOR AEE be included in the purpose of the designation.

6.1.25 Further, the conditions offered require further discussion between the Hearings Panel and Firstgas for the following reasons:

1. *Condition 2.1.2(1) which reads:*

“Where applicable, the process implemented for providing Firstgas approval shall incorporate, or be incorporated into, the process for granting easement access to the gas network such that a single process for both requiring authority approvals and gas easement approvals is implemented unless otherwise requested by the party seeking approval.”

6.1.26 Should be removed as this is covered by s176 of the RMA and any private agreements attached to the easement on the Record of Title.

2. *Condition 2.1.3(1) which reads:*

“Firstgas shall be exempt from providing an Outline Plan of Works for ongoing maintenance works (including the repair and replacement of existing asset(s) enabled by this designation).”

6.1.27 I consider that this should be removed as there is not sufficient information in the description of the designation to provide certainty to Council as to what “maintenance works” entails. In the first instance, Firstgas should be required to approach Council to determine if an outline plan waiver can be provided. This could be tied in with the performance standards in the Network Utilities chapter in the PDP.

3. Condition 2.1.3(2) which reads:

"Accidental Discovery Protocol Condition"

6.1.28 This is not a condition and I would recommend that Firstgas provide wording to the effect of an accidental discovery protocol condition, or request that Council provide wording that can be agreed on.

6.2 Recommendations

6.2.1 At the time of writing this report I am unable to make a recommendation to the Hearing's Panel and request that First Gas be present at the hearing to provide evidence to further discuss:

- The extent of the purpose and description of the designation; and
- The proposed conditions and recommended modifications.
 - I do not support the inclusion of conditions 2.1.2(1) and 2.1.3(1) and request that Firstgas provide further assessment on the effects of these conditions.
 - I request that Firstgas provide wording for proposed condition 2.1.3(2).

7.0 HBRC – Hawke's Bay Regional Council

7.1 The CHBDC – PDP, as notified, included these designations

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
HBRC-1	Ben Nevis Rainfall Station	Rainfall Station	927 Bush Road, Wallingford	-	Part Lot 1 DP 5005	Rollover – formerly designation #87. No submissions received.
HBRC-2	Glenwood Rainfall Station	Rainfall Station	Waipawa River, end of North Block Road	-	Section 9 SO 486779	Rollover – formerly designation #88. No submissions received.
HBRC-3	GWAVAS Forest Rainfall Station	Rainfall Station	701 Gwavas Road, Tikokino	-	Lot 1 DP 21615	Rollover – formerly designation #89. No submissions received.
HBRC-4	Makara Dam 1	Flood detention dam and ponding area	89 Te Apiti Road, Kairakau. NZTM Ref: E1931190, N5574630	-	Section SO 470178	Rollover – formerly designation #90. No submissions received.
HBRC-5	Makara Dam 4	Flood detention dam and ponding area	485 Kairakau Road, Elsthorpe. NZTM: Red: E1929535, N5573980	-	Section 48 Block VII Oero SD	Rollover – formerly designation #91. No submissions received.
HBRC-6	Makara Dam 11	Flood detention dam and ponding area	298 Atua Road, Patangata. NZTM Ref: E1924430, N5569555	-	Part Lot 1 DP 1442	Rollover – formerly designation #92. No submissions received.
HBRC-7	Makara Dam 13A	Flood detention dam and ponding area	706 Atua Road, Patangata.	-	Part Lot 1 DP 1926	Rollover – formerly designation #93. No submissions received.

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
			NZTM Ref: E1925120, N5568160			
HBRC-8	Makara Dam 15	Flood detention dam and ponding area	459 Atua Road, Patangata. NZTM Ref: E1926630, N5571180	-	Lot 1 DP 11975	Rollover – formerly designation #94. No submissions received.
HBRC-9	Makaroro River (Burnt Bridge) Water Level Station	Water level station	Burnt Bridge, Makaroro River, Wakarara Road.	-	-	Rollover – formerly designation #85. No submissions received.
HBRC-10	Shag Rock Rainfall and Water Level Station	Rainfall and water level station	Tukituki River, 41 Hautope Road.	-	Lot 2 DP 393262	Rollover – formerly designation #83. No submissions received.
HBRC-11	Tapairu Road Rainfall and Water Level Station	Rainfall and water level station	Tukituki River, 265 Tapairu Road.	-	Lot 5 DP 525885	Rollover – formerly designation #82. No submissions received.
HBRC-12	Tukipo River Rainfall and Water Level Station	Rainfall and water level station.	Tukipo River, 2506 State Highway 50.	-	-	Rollover – formerly designation #79. No submissions received.
HBRC-13	Tukituki River (Folgers) Water Level Station	Water level station	1086 Tukituki Road, Ashley Clinton.	-	Lot 4 DP 1723	Rollover – formerly designation #84. No submissions received.
HBRC-14	Waipawa River Water Level Station	Water level station	43 Tikokino Road, Waipawa	-	Section 61 Block XI Waipukurau SD	Rollover – formerly designation #81. No submissions received.
HBRC-15	Wallingford Station Rainfall and Water Level Station	Rainfall and water level station	Taurekaitai River, 2914 Porangahau Road, Wallingford	-	-	Rollover – formerly designation #86. No submissions received.

7.2 Analysis

- 7.2.1 HBRC has requested a rollover of fifteen existing designations with no modification proposed. I consider that the rollover of these designations have no significance in terms of potential effects on the environment. No persons are considered to be affected by the inclusion of these designations in the PDP.
- 7.2.2 I note that HBRC-12 does not show on the Council's E-Plan and request that Council officers rectify this oversight. This has no bearing on my recommendation.

8.0 KRH – KiwiRail Holdings Ltd

8.1 The CHBDC – PDP, as notified, included this designation:

Palmerston North to Gisborne Line (PNGL)	
Designation Unique Identifier	KRH-1
Designation Purpose	Railway Purposes
Site identifier	Various
Lapse Date	Given Effect
Conditions	Yes
Status	Rollover with modifications requested, formerly designations #169 & #104.

8.2 Analysis

8.2.1 Kiwirail Holdings Ltd, as per their submitted Schedule 1, Clause 4 Notice, request the rollover of former designations #169 & #104 for railway purposes.

8.2.2 Kiwirail Holdings Ltd request the following modifications:

1. Update the Requiring Authority Name from Transrail to KiwiRail Holdings Limited, as a result in a name change for the organisation with rail responsibilities nationally.
2. Correct the cartographical errors within the District Plan Maps to accurately show the lawfully constructed and operational parts of the railway network as shown in the supplied GIS data.
3. Correct the cartographical errors within the District Plan Maps to remove the rail designation from land no longer required for Railway Purposes as shown on the supplied GIS data.

8.2.3 I understand that this data has now been inputted correctly by the Council Officers responsible for the mapping of the PDP.

8.2.4 I consider that these modifications have no significance in terms of potential effects on the environment. The designation, as modified, should be recommended for confirmation.

8.3 Recommendation:

8.3.1 For the reasons given above, it is recommended that the hearings panel recommend that Council:

- Recommend to KiwiRail Holdings Ltd that it confirms Designation KRH-1 with the modifications sought.

9.0 KL – Kordia Ltd

9.1 The CHBDC – PDP, as notified, included this designation:

Kordia Broadcasting and Telecommunications Facility	
Designation Unique Identifier	KL-1
Designation Purpose	To maintain and upgrade the existing broadcasting and telecommunications (including radio – communications) facility presently consisting of a tower accommodating a number of antennae with an ancillary equipment building located at the base of the tower. To upgrade and/or replace the tower, equipment and to replace antennae as well as install any infrastructure, structures and buildings as required to continue the radio-communications, telecommunications and broadcasting operations. To maintain the land and vegetation within the designated area to ensure the ongoing safe and efficient operation of the facility.
Site identifier	State Highway 50/47 Tukituki Road: Lot 1 DP 21210 Blk XI Ruataniwha SD-IN in R/W-Ashcott translator site.
Conditions	Yes
Status	Rollover – formerly designation #118. Modifications requested.

9.1.1 The NOR has not specified what the modifications are, however, these appear to be:

- A change of name of the Requiring Authority from Broadcasting Corporation Limited to Kordia Limited;
- Designation Purpose has been updated;
- Conditions have been proposed.

9.1.2 Proposed Conditions

1. *The following structures, buildings, equipment and ancillary land uses to maintain the operation of the facility shall be permitted and may be established and/or undertaken within the area subject to this designation on a permanent basis without the provision of any outline plan of works pursuant to Section 176A of the Resource Management Act 1991 ("Act"):*
 - a. *the upgrade, repair or repositioning of the existing tower and equipment building within the designated area, inclusive of any increase in height and size in accordance with the National Environmental Standards for Telecommunications;*
 - b. *up to six dish antennae with a maximum diameter greater than 2.5 metres but less than 4.0 metres;*
 - c. *broadcasting, telecommunication and radio-communication antennae including whip, grid, yagi, dipoles and panels or similar ancillary equipment, but no single antenna dish or panel shall have a solid frontal surface area of greater than 4.0m² or 2.5 metres in diameter in the case of dish antennae, unless otherwise specified above or being a replacement of an existing larger antenna;*
 - d. *equipment cabinets and container generators not exceeding 2.5m in height and 18m² in area;*
 - e. *the use of auxiliary power generators on a temporary basis as necessary;*
 - f. *the maintenance of the land and vegetation within the designated area to ensure the ongoing safe and efficient operation of the facility.*
2. *No new structures or buildings shall be erected on the site without submission of an outline plan of works pursuant to section 176A of the Act provided that the structures, buildings, equipment*

and ancillary land uses to maintain the operation of the facility specified in paragraph 1 above shall not be subject to this condition.

3. *The exterior of any structure, building or outdoor equipment within the area subject to this designation shall not generate adverse reflective light effects.*
4. *Radio frequency radiation emissions from the site shall comply with the following standards:*
 - a. *AS/NZS 2772: Radiofrequency Fields AS/NZS 2772.1 (Part 1): 1999 — Maximum Exposure Levels — 3kHz to 300GHz*
 - b. *AS/NZS 2772.2 (Part 2): 2016 — Principles and Methods of Measurement — 3kHz to 300 GHz*
5. *The noise levels arising from the equipment ancillary to the operation of the broadcasting, telecommunications, radio-communications facility shall comply with the permitted activity noise levels of the Central Hawke’s Bay District Plan.*

9.2 S171 Analysis

<p>(a) consider the effects on the environment of allowing the requirement</p>	<p>The tower is existing and has been in place since the 1980s. The conditions proposed in the NOR provide for certainty regarding what is likely to be installed on site.</p> <p>As the site is remote and well removed from any nearby dwellings or residential settlements, the ongoing maintenance of the infrastructure as well as any construction of the above listed infrastructure is unlikely to result in adverse environmental effects. The height and bulk of the structure is managed by the NES-TF.</p> <p>The site is not within a site of natural or historic significance and while the tower is visible from a wide area, it does not adversely detract from the surrounding rural environment.</p> <p>All effects on human health are managed by the relevant NZ standards.</p> <p>Overall, the ongoing designation of this site results in less than minor effects on the environment.</p>
<p>(b) Any relevant provisions of –</p> <ol style="list-style-type: none"> i. A national policy statement; ii. A New Zealand coastal policy statement; iii. A regional policy statement or proposed regional policy statement; i. A plan or proposed plan; and 	<p>No assessment has been provided in the NOR. I consider the following plans to be relevant:</p>
<p>Operative District Plan: 10 Utilities Chapter 10.1.1 Objective: <i>The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.</i></p>	

10.2.1 Objective: *The establishment, use and maintenance of utilities, necessary for the well-being of the community.*

Comment:

The designation subject to this NOR has been given effect to and a set of conditions has been provided to provide certainty as to the scale of the proposed future works when maintenance/upgrading is needed. Given the remote location of this designation, I am satisfied that the above objectives can be met.

Proposed District Plan:

NU-Network Utilities

Objectives: NU-O1: *Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.*

NU-O2: *The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).*

NU-O3: *The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.*

Comment:

The NOR is to rollover the existing designation that has been given effect to. The designation is to provide for the essential services to allow people and communities to provide for their health, safety and wellbeing. Given the rural location, any future subdivision is reliant on complying with the underlying zone rules and reverse sensitivity will be a factor in any decision for subdivision. Overall, the proposal is consistent with the above objectives and policies.

<p>(c) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –</p> <ul style="list-style-type: none"> i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or ii. It is likely that the work will have a significant adverse effect on the environment; and 	<p>The NOR states:</p> <p><i>“As the requiring authority has a long established interest in the portion of the site to be designated having established the existing broadcasting and telecommunications facility described in 1980 that the designation seeks to be included in the District Plan, no alternative sites have been considered as provided for by Section 171(b) of the Act.”</i></p> <p>I am satisfied that the requiring authority has sufficient interest in the land as they own the site that the equipment is located.</p> <p>The location of the site is remote and I do not consider that any installation of new infrastructure that meets the conditions, or any maintenance of the infrastructure will result in adverse effects on the environment.</p> <p>No submissions were received.</p>
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(e) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and	Kordia Limited considers that a designation will: <i>"The facility serves as a broadcasting and telecommunications service essential to maintaining nationwide communications, particularly in times of natural or manmade disaster and it is imperative that the nature of the facility be recognised and enabled to be maintained and developed without undue process to meet the on-going and ever changing communication needs of the region and nation."</i>
(f) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	I consider that sufficient information has been provided to make a recommendation.

9.2.1 Proposed conditions:

9.2.2 The conditions proposed do provide certainty as to the scale of activity expected on the site. Following an analysis of the conditions, I have the following concerns:

1. I am not satisfied that a designation of this nature, with infrastructure of this size, should be able to have proposed upgrades/installations without an outline plan of works submitted to ensure that the effects of the works are appropriately assessed. I do not support the request for a waiver of an outline plan. It remains open for the Council to waive the requirement for such a plan at the time works are proposed but I do not consider a blanket waiver should be applied.
2. Proposed conditions 1(b) and 1(c) provide for antenna larger than the NES-TF provides for with no analysis or assessment of the effects of the size of these antenna. Further information is required to enable the assessment of effects from the proposed antenna. Further, a comparison between what is currently on site and what could be provided within the scope of the proposed conditions would be useful to enable an assessment of effects associated with the introduction of the conditions.

9.2.3 I recommend one further modification, that the reference to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 is updated to reference the correct, full title.

9.3 **Recommendation:**

9.3.1 For the reasons above, it is recommended that the hearings panel recommend to the Council that it:

- Recommend to Kordia Limited that it confirm Designation KL-1, with the following modifications requested:
 - Change of name as per notice of requirement
 - Change of purpose as per notice of requirement
- Recommend to Kordia Limited that it modify the wording of condition 1 as such (with recommended deletions strikethrough):
 1. *The following structures, buildings, equipment and ancillary land uses to maintain the operation of the facility ~~shall be permitted and~~ may be established and/or undertaken within the area subject*

~~to this designation on a permanent basis: without the provision of any outline plan of works pursuant to Section 176A of the Resource Management Act 1991 ("Act"):~~

- a. *the upgrade, repair or repositioning of the existing tower and equipment building within the designated area, inclusive of any increase in height and size in accordance with the National Environmental Standards for Telecommunications;*
 - b. *up to six dish antennae with a maximum diameter greater than 2.5 metres but less than 4.0 metres;*
 - c. *broadcasting, telecommunication and radio-communication antennae including whip, grid, yagi, dipoles and panels or similar ancillary equipment, but no single antenna dish or panel shall have a solid frontal surface area of greater than 4.0m² or 2.5 metres in diameter in the case of dish antennae, unless otherwise specified above or being a replacement of an existing larger antenna;*
 - d. *equipment cabinets and container generators not exceeding 2.5m in height and 18m² in area;*
 - e. *the use of auxiliary power generators on a temporary basis as necessary;*
 - f. *the maintenance of the land and vegetation within the designated area to ensure the ongoing safe and efficient operation of the facility.*
- ~~2. No new structures or buildings shall be erected on the site without submission of an outline plan of works pursuant to section 176A of the Act provided that the structures, buildings, equipment and ancillary land uses to maintain the operation of the facility specified in paragraph 1 above shall not be subject to this condition.~~
3. *The exterior of any structure, building or outdoor equipment within the area subject to this designation shall not generate adverse reflective light effects.*
 4. *Radio frequency radiation emissions from the site shall comply with the following standards:*
 - a. *AS/NZS 2772: Radiofrequency Fields AS/NZS 2772.1 (Part 1): 1999 — Maximum Exposure Levels — 3kHz to 300GHz*
 - b. *AS/NZS 2772.2 (Part 2): 2016 — Principles and Methods of Measurement — 3kHz to 300 GHz*
 5. *The noise levels arising from the equipment ancillary to the operation of the broadcasting, telecommunications, radio-communications facility shall comply with the permitted activity noise levels of the Central Hawke's Bay District Plan.*
 - *Recommend to Kordia Limited that it provides further analysis to support the size of antennae that have been applied for in conditions 1(b) and 1(c).*
 - *Recommend to Kordia Limited that it update line 1.a of the proposed changes to reference the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 in full.*

9.3.2 Further note:

9.3.3 The transcribed conditions in the PDP-EPlan has an error in Line 1.d where it reads:

1.d equipment cabinets and container generators not exceeding 2.5m in height and 2 in area.

9.3.4 It should read:

1.d equipment cabinets and container generators not exceeding 2.5m in height and 18m² in area;

9.3.5 I request that the Council officers rectify this error.

10.0 MCOU – Minister for Courts

10.1 The CHBDC-PDP, as notified, included this designation

Court House	
Designation Unique Identifier	MCOU-1
Designation Purpose	Judicial, court, tribunal and related purposes including collection of fines and repatriation, administration, support, custodial services and ancillary activities. Works include development and operation of land and buildings and aforementioned purposes.
Site identifier	River Terrace/St Joseph Street, Waipukurau. Pt Lot 183 DEEDS 46
Conditions	No
Status	Rollover – formerly designation #120. Modifications requested.

10.2 Analysis

10.2.1 The Minister for Courts, the Hon. Andrew Little, requested through the submission of a Form 18, the rollover of designation #120 for the Court House, located in Waipukurau.

10.2.2 The modification requested is to update the purpose of the designation, with the reason stated:

“Standardising new description nationwide as District Plans are reviewed and provides clarity to public regarding what activity can occur on site.”

10.2.3 Further, point 5 states:

“This amended purpose will provide greater certainty to an ordinary member of the public as to what activity can occur on the site and will provide a planning framework for assessing activities and development at the Courthouse.”

10.2.4 No alternative locations have been considered for this activity as it is existing. The designation is considered necessary to ensure an effective court service can be continued to be delivered in Waipukurau and to continue to operate the Waipukurau Court system in an efficient and effective manner.

10.2.5 The change to the designation purpose has been updated, as previously the designation purpose read:

Court House/Justice Department

10.2.6 The improvement to the purpose has now added in some extra facilities that may not have been previously considered as part of the designation, including custodial services and ancillary activities. The purpose has been updated to ensure that the Minister of Courts can provide the administrative and other services necessary to:

- Operate the New Zealand Court System;
- Support independent judicial decision making;
- Oversee the collection of fines and reparations;
- Serve Court documents; and
- Enforce civil justice orders.

10.2.7 The Minister of Courts is bound by other legislation, including the District Court Act 2016 and the above purpose is detailed to provide certainty to the Council and neighbouring land owners as to the activities that will take place within this designation.

10.2.8 No consultation has been undertaken. I consider that this is appropriate given the court house is existing and has been on site for a number of years. There is no change to the use of the

site or any physical buildings on the site and the update to the purpose has not effect on the environment or persons.

10.3 Recommendations

10.3.1 For the reasons above, it is recommended that the hearings panel recommend to Council:

- Recommend that the requiring authority confirms Designation MCOU-1 for inclusion in the Proposed Central Hawke's Bay District Plan, with the modifications requested.

11.0 MEDU – Minister of Education

11.1 The CHBDC-PDP, as notified, included these designations

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
MEDU-1	Argyll East School	Education Purposes	1071 Argyll Road, Argyll	3.8ha	Section 6 Block II Waipukurau SD	Rollover – formerly designation #98. Modifications proposed. No submissions received.
MEDU-2	Central Hawke's Bay College	Education Purposes	45 Tavistock Road, Waipukurau	17.9ha	Lot 2A Deeds 286 Blk 133 Waipukurau CGD Lot 16, 34, and 35 Deeds 328 Part Lot 1 and 2 DP 6004 Part Lot 9 and 10 Deeds 286	Rollover – formerly designation #106. Modifications proposed. No submissions received.
MEDU-3	Elsthorpe School	Education Purposes	25 Kenderdine Road, Elsthorpe	2ha	Section 24 Block VII Oero SD	Rollover – formerly designation #117. Modifications proposed. No submissions received.
MEDU-4	Flemington School	Education Purposes	2 Rotohiwi Road, Flemington	6980m ²	Lot 1 Dp 9427 & Part Blk 34 Porangahau CGD	Rollover – formerly designation #99. Modifications proposed. No submissions received.
MEDU-5	Omakere School	Education Purposes	46 Long Range Road, Omakere	1.4ha	Section 2 Block II Pourerere SD	Rollover – formerly designation #102. Modifications proposed. Two submissions received.
MEDU-6	Ongaonga School	Education Purposes	51 Mill Street, Ongaonga	8028m ²	Lot 69 DEEDS 86 & Lot 44 & 45 DEEDS 77	Rollover – formerly designation #112. Modifications proposed. No submissions received.

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
MEDU-7	Otāne School	Education Purposes	67 Higginson Street, Otāne	2.03ha	Part Lot 1 DP 6256	Rollover – formerly designation #110. Modifications proposed. No submissions received.
MEDU-8	Porangahau School	Education Purposes	58 Keppel Street, Porangahau	6070m ²	Town Section 211 Porangahau	Rollover – formerly designation #114. Modifications proposed. No submissions received.
MEDU-9	Pukehou School	Education Purposes	174 State Highway 2, Pukehou	1.46ha	Part Lot 1 DP 8144	Rollover – formerly designation #97. Modifications proposed. No submissions received.
MEDU-10	Sherwood School	Education Purposes	358 Makaretu Road, Ashley Clinton	7312m ²	Part Blk 112 Ruataniwha CGD, Part Section 2 Block X Ruataniwha SD & Lot 1 DP 26378	Rollover – formerly designation #96. Modifications proposed. No submissions received.
MEDU-11	St Joseph's School	Education Purposes	6 Russell Street, Waipukurau	1.3ha	Lot 3 DP 575957	Rollover – formerly designation #105. Modifications proposed. No submissions received.
MEDU-12	Takapau School	Education Purposes	15 Charles Street Takapau	1.5ha	Lot 1 DP 10806, Lot 2 DP 445104 & Lot 65 and 66 DEEDS 49	Rollover – formerly designation #113. Modifications proposed. No submissions received. Conditions proposed.
MEDU-13	Te Aute College	Education Purposes	100 State Highway 2, Te Aute	308ha	Part Lot 29 DP 4416	New designation – Notice of Requirement received. One submission received.
MEDU-14	The Terrace School	Education Purposes	164 Porangahau Road, Waipukurau	10768m ²	Lot 3 DP 8253, Part Lot 1 DP 6674 & Lot 2 DP 8253	Rollover – formerly designation #107. Modifications proposed. No submissions received.
MEDU-15	Tikokino School	Education Purposes	43 Owen Street, Tikokino	1.97ha	Town Section 96-100 and Town Section 173 Hampden	Rollover – formerly designation #116. Modifications proposed. No submissions received.
MEDU-16	Te Kura Kaupapa	Education Purposes	49 Charlotte Street, Takapau	2987m ²	Lot 21-23 and 35-38 DEEDS 49	Rollover – formerly designation #125. Modifications proposed. No submissions received.

Des #	Name of Designation	Purpose of Designation	Location	Area	Legal description	Status
	Māori O Takapau					
MEDU-17	Waipawa School	Education Purposes	6 Harker Street, Waipawa	5.37ha	Lot 1 Deposited Plan 2223, Lot 2-4 Deposited Plan 2223, Lot 10 Deposited Plan 2223, Section 30R Block XI Waipukurau Survey District, Lot 25-31, Lot 33-35 and Part Lot 32 Deposited Plan 2783, Lot 1 Deposited Plan 8743, Part Block 46 Patangata Crown Grant District and Defined on Survey Office Plan 2322	Rollover – formerly designation #108. Modifications proposed. No submissions received.
MEDU-18	Waipukurau School	Education Purposes	2 St Mary's Road, Waipukurau	1.22ha	Lot 10 & 11 DP 1425 & Lot 31 Deeds Plan 46	Rollover – formerly designation #119. Modifications proposed. No submissions received.

11.2 Analysis

11.2.1 Regarding MEDU-1, MEDU-2, MEDU-3, MEDU-4, MEDU-6, MEDU-7, MEDU-8, MEDU-9, MEDU-11, MEDU-14, MEDU-15, MEDU-16, MEDU-17 and MEDU-18, the Minister of Education has requested a rollover of these existing designations, with these modifications:

- The purpose of the designations to read 'Education Purposes'
- School names have been added to reflect their registered titles on the Education Courts website; and
- Full legal descriptions have been added.

11.2.2 Further, the Minister of Education provided correct spatial boundaries that require amendment of the following designations:

11.2.3 MEDU-1, MEDU-2, MEDU-4, MEDU-8, MEDU-9, MEDU-11, MEDU-14, MEDU-15, MEDU-16 & MEDU-17.

11.2.4 No conditions are sought with the rollover for these existing designations.

11.2.5 I consider that the modifications described above are appropriate and have no adverse effects on the environment. No changes to the school buildings are proposed and changes to boundaries are only on the maps, there is no physical change to the above boundaries.

'Education purposes' in the designation purpose for the following designations means:

- (a) *Enable the use of the facilities on the site by and for the educational benefit of any preschool and school age students (i.e. years 0 to 13) regardless of whether they are enrolled at the institution located on the site.*
- (b) *Enable the provision of supervised care and study opportunities for students outside school hours in school facilities.*
- (c) *Enable the provision of community education (e.g. night classes for adults) outside school hours in school facilities.*
- (d) *Include but not be limited to the provision of academic, sporting, social and cultural education including through:*
 - i. *Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;*
 - ii. *Formal and informal cultural activities and competitions whether carried out during or outside school hours;*
 - iii. *The provision of specialist hubs and units (including language immersion units and teen parenting units) for children with particular educational requirements of special needs.*
- (e) *Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.*
- (f) *Enable the provision of associated administrative services, carparking and vehicle manoeuvring; and health, social services and medical services (including dental clinics and sick bays),*
- (g) *Enable housing on site for staff members whose responsibilities require them to live on site (e.g. school caretaker) and their families.*

11.2.6 The inclusion of the 'Education Purposes' in the designation purpose provides better clarity as to what can be carried out within the school grounds during school hours and after hours. I consider that it provides a thorough list of activities that are most commonly experienced and expected within the grounds of a public school and helps to provide greater certainty to neighbouring properties and the Council as to what can be expected on the property.

11.2.7 This definition is in line with rollover and new designations for the Ministry of Education seen in other Proposed District Plans, such as New Plymouth District Council. I am satisfied that this updated definition provides greater certainty as to the activities expected on school grounds and there are no adversely affected persons from the changes to this purpose.

11.2.8 I support the confirmation of these modifications.

MEDU-5 Omakere School:

11.2.9 The Minister of Education has requested a rollover of this existing designation, with the following modifications:

- The purpose of the designations to read ‘Education Purposes’
- School names have been added to reflect their registered titles on the Education Courts website; and
- Full legal descriptions have been added.

11.2.10 The Minister of Education has provided the correct spatial boundaries that require an amendment for MEDU-5.

11.2.11 No conditions are sought with the rollover of this existing designation. As above, I consider that these modifications described are appropriate and there are no affected persons.

11.2.12 There were two submissions received with regards to this designation:

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
MEDU- Minister of Education	S73.040	Ministry of Education	Amend	Omakere School is located at 46 Long Range Road, Omakere and this site identified should be updated to reflect this.	Amend MEDU-5 (Omakere School) as follows: Omakere School Designations unique identifier MEDU-5 Designation Purpose Education Purposes Site Identifier 46 Long Range Road Omakere (Map 28) Section 2 Block II Pourerere SD ...
MEDU- Minister of Education	S73.041	Ministry of Education	Amend	The designation boundary (light-blue boundary line circled in red) currently does not align with the Lot boundary (black and white dashed line) in the Plan maps. The Ministry of Education request that the designation boundary is amended for	Amend designation boundary for MEDU-5 (Omakere School) – refer map in original submission.

				Omakere School to correct the spatial extent of the designation.	
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11.2.13I support the two submissions above, the first being the correction of a spelling error within the PDP document and the second the correction of a mapping error. I consider this submission does not require a substantial change to the designation or any increase in effects on the environment or people.

11.2.14No alternative site is considered as the school is in place and there is no change to the boundaries other than updating them on the PDP maps to reflect the physical boundaries on the site. The Minister of Education has sufficient interest in the land to undertake the work and the designation can achieve the objectives of the RA. I am satisfied that there are no other matters required to make a recommendation on this designation.

MEDU-10 Sherwood School

11.2.15The Minister of Education has requested a rollover of this existing designation, with the following modifications:

- The purpose of the designations to read ‘Education Purposes’
- School names have been added to reflect their registered titles on the Education Courts website; and
- Full legal descriptions have been added.

11.2.16The Minister of Education has provided the correct spatial boundaries that require an amendment for MEDU-10. No alternative site is considered as the school is in place and there is no change to the boundaries other than updating them on the PDP maps to reflect the physical boundaries on the site. The Minister of Education has sufficient interest in the land to undertake the work and the designation can achieve the objectives of the RA. I am satisfied that there are no other matters required to make a recommendation on this designation.

11.2.17No conditions are sought with the rollover of this existing designation. As above, I consider that these modifications described are appropriate.

11.2.18As the proposed extension of the designation boundary covered an area where the Ashley Clinton – Makaretu Hall Society Inc. have a facility, CHBDC sent notice to this group as part of the notification process of the PDP. No submission was received.

11.2.19I am satisfied that the rollover of the designation and extension of designation boundary does not affect any person and should be confirmed.

MEDU-12 Takapau School

11.2.20The Minister of Education has requested a rollover of this existing designation, with the following modifications:

11.2.21The purpose of the designations to read ‘Education Purposes’

11.2.22School names have been added to reflect their registered titles on the Education Courts website; and

11.2.23Full legal descriptions have been added.

11.2.24The Minister of Education has provided the correct spatial boundaries that require an amendment for MEDU-12

11.2.25Conditions are included as follows (these are rolled over from the ODP):

1. The top 300mm of soil shall be removed from Lots 21-23 Deeds Plan 49 before this part of the designated site is used for the purposes of a school.
2. Any underground fuel tank found on Lots 21-23 Deeds Plan 49 shall be removed by an authorised contractor.

11.2.26I am satisfied that the rollover of the designation and extension of designation boundary does not affect any person and should be confirmed.

MEDU-13

11.2.27The Minister of Education has lodged a notice of requirement for one new designation, MEDU-13 Te Aute College, relating to an established school. It is not clear why this site has not been designated in the past, as it has operated from the site for more than 160 years. A description of Te Aute College is provided in the NOR:

"The current roll is approximately 106 which has grown from 77 in 2014. The College provides a special character based on Maoritanga and Christian principles. Most of the students are Māori and 80% board at the school. Students come from throughout New Zealand and a few from Australia and the Pacific Islands. The College is one of the oldest in New Zealand and has operated from this site for some 160 years.

The College has 16 teaching spaces, a wharenuī, library, hall, administration block, swimming pool, playing fields and paved hard courts. The area of state integrated land is 8.0137ha.

The site is located adjacent to State Highway 2 north of College Road in rural Central Hawke's Bay. A tree lined driveway of 175m extends from State Highway 2 into the College with sports fields on both sides. The pool and hardcourts are in this location and the access road leads on through the site past the hall, wharenuī and on to the three groups of teaching buildings. The College has boarding facilities which are not state integrated facilities and therefore are not within the designation. These are located to the north of the College and there is also a number of teachers houses to the south. Similarly, the Chapel and Chaplains House are also not within the proposed designation. The Chaplains House is the former Allen M Williams residence which is a heritage building."

11.2.28No consultation was undertaken by the Minister of Education, and as part of the notification of the PDP, CHBDC notified the neighbours:

Name	Address
The Paper Mulberry	89 State Highway 2, Otāne
Te Aute Trust Board Inc	143 State Highway 2, Otāne
S Brougham & C Tomlins	60 State Highway 2, Otāne
I Mossman	166 State Highway 2, Otāne

11.2.29No submissions from the above parties were received. One submission was received when the PDP was notified:

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
MEDU- Minister of Education	S120.027	Heretaunga Tamatea Settlement Trust	Support	Heretaunga Tamatea Settlement Trust (HTST) support the Minister of Education's Designation of Te Aute College. As outlined above Te Aute College is of a great significance to	Retain designation 'MEDU-13 – Te Aute College'

				<p>tangata whenua and the hapū of Central Hawke’s Bay. The Minister of Education’s designation enables the continued growth and development of Te Aute College that has cultural, traditional, heritage and educational value to tangata whenua. HTST see this College as a big part of the future for its people.</p>	
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11.2.30I am satisfied that this school has operated from this site for a considerable period of time and the description within the NOR accurately reflects the use of the site.

11.3 Recommendations

11.3.1 For the reasons above, it is recommended that the hearings panel recommend to Council:

- Recommend to the Minister of Education that it confirms Designations MEDU-1, MEDU-2, MEDU-3, MEDU-4, MEDU-5, MEDU-6, MEDU-7, MEDU-8, MEDU-9, MEDU-10, MEDU-11, MEDU-12, MEDU-14, MEDU-15, MEDU-16, MEDU-17 & MEDU-18 in the Central Hawke’s Bay Proposed District Plan with the proposed modifications.
- Recommend to the Minister of Education that it confirms the Notice of Requirement for land shown as Designation MEDU-13 included in the Proposed Central Hawke’s Bay District Plan, without conditions.
- Accept the submission from Heretaunga Tamatea Settlement Trust [S120.027]

12.0 MPOL – Minister of Police

12.1 The CHBDC – PDP, as notified, included this designation

Waipukurau Police Station	
Designation Unique Identifier	MPOL-1
Designation Purpose	The construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility, associated police accommodation, and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.
Site identifier	16 Northumberland Street, Waipukurau
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Primary
Conditions	No
Additional Information	Rollover – formerly designation #168 with modifications requested.

Porangahau Police Station	
Designation Unique Identifier	MPOL-2
Designation Purpose	The construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility, associated police accommodation, and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.
Site identifier	5 Abercromby Street, Porangahau
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Primary
Conditions	No
Additional Information	Rollover – formerly designation #115 with modifications requested.

12.2 Analysis

12.2.1 The Minister of Police, the Hon. Stuart Nash, requested through the submission of a Form 18, the rollover of designations #168 & #115 for the police stations in Waipukurau and Porangahau.

12.2.2 The modification requested is to update the purpose of the designation, with the reason stated:

“The public work is the continued operation and management of the police stations and associated police accommodation in the Central Hawke's Bay District. However, to increase the consistency of Police sites across New Zealand, as part of the rollover process the Minister is seeking that the following description of the purpose of the designations to be included in the designated sites identified in Table 1.”

“The public work authorised by the designation is the construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility, associated police accommodation, and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.”

12.2.3 Further, point 5 states:

The new description provides a standardised and refined purpose across the Central Hawke's Bay District and replaces the existing descriptions ("Police station/police, and Waipukurau community policing centre") used in the Operative District Plan. In addition, this description is being adopted by the Minister for other sites across New Zealand as part of the District Plan review processes being undertaken progressively by other territorial authorities.

- 12.2.4 No alternative locations have been considered for these activities as they are existing. The designation is considered necessary to ensure the ongoing management and maintenance of police facilities.
- 12.2.5 The Minister of Police is subject to the requirements of the Policing Act 2008 and I consider that the purpose of this designation is to ensure that the activities provided for by the Policing Act 2008 and the purpose of the designation can be carried out without interference by the Council or neighbours.
- 12.2.6 No consultation has been undertaken. I consider that this is appropriate given the two police stations are existing and have been in site for some time. There is no change to the use of the sites and the update to the purpose has no effect on the environment or persons.

12.3 Recommendations

- 12.3.1 For the reasons above, it is recommended that the hearings panel recommend to the Council that it:
- Recommend to the Minister of Police that it confirms Designations MPOL-1 & MPOL-2 be included in the Proposed Central Hawke's Bay District Plan, with the modifications requested.

13.0 NZTA – Waka Kotahi New Zealand Transport Agency

13.1 The CHBDC – PDP, as notified, included these designations

State Highway 2	
Designation Unique Identifier	NZTA-1
Designation Purpose	To undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure.
Site identifier	State Highway 2 from the Hastings District Council boundary to the north to the Tararua District Council boundary to the south (Maps 12, 16, 17, 20, 21 & 22)
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Primary
Conditions	No
Additional Information	<p>Rollover, formerly identified in Appendix A Note 1 and 3.</p> <p>Note: The following sections of State Highway 2 are Limited Access Road, as declared under Section 88 of the Government Roding Powers Act 1989:</p> <p>From the boundary with Hastings District Council to the north at Boundary Road (RS/RP 002 691/7640*) to Waipawa in the south (RS/RP 002 707/5020*);</p> <p>From the south abutment of the Waipawa River bridge (RS/RP 002 707/7120*) to the north abutment of the Tukituki River bridge (RS/RP 002 707/12300*);</p> <p>From the intersection with Coughlan Street, Waipukurau in the north (RS/RP 002 721/0930*) to the boundary with Tararua District in the south (RS/RP 002 743/7740*).</p> <p>*Approximate location as per Argonaut Roadrunner</p> <p>One submission received</p>

State Highway 50	
Designation Unique Identifier	NZTA-2
Designation Purpose	To undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure.
Site identifier	State Highway 50 from the Hastings District Council boundary to the north to the intersection with State Highway 2 to the south (maps 3, 6 & 11).
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Primary
Conditions	No
Additional Information	<p>Rollover – formerly identified in Appendix A Note 1 and 3</p> <p>Note:</p>

	The entire section of State Highway 50 within Central Hawke’s Bay District Council is Limited Access Road, as declared under Section 88 of the Government Roading Powers Act 1989
	One submission received

13.2 Analysis

13.2.1 Waka Kotahi New Zealand Transport Agency has applied to rollover the designations for State Highway 2 and State Highway 50, formerly identified in Notes 1 & 3 in Appendix A. This former identification of the State Highways referred to the Requiring Authority as Transit New Zealand and goes on to describe the State Highways as designated, Limited Access roads, similar to the Designation Purpose and Additional Information provided above.

13.2.2 The designations cover existing State Highways within the District, there are no proposed changes or modifications to the physical alignment of the State Highways. The inclusion in the additional information about both Highways being ‘Limited Access Roads’ is appropriate as a number of private properties access are accessed from the State Highway.

13.2.3 The purpose of the designation is clear being:

“To undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure.”

13.2.4 No persons are considered to be adversely affected by the rollover of these designations as the state highways are in place and there is no effect on the environment by the inclusion of these designations in the PDP. No alternative locations can be assessed given the location of the state highways, all infrastructure is already in place.

13.2.5 Submissions

13.2.6 Two submissions were received:

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
NZTA – New Zealand Transport Agency	S78.040	Waka Kotahi NZ Transport Agency	Support	Support ‘State Highway 2’ (NZTA-1) as written.	Retain designation of ‘State Highway 2’ (NZTA-1) as written.
NZTA – New Zealand Transport Agency	S78.041	Waka Kotahi NZ Transport Agency	Support	Support ‘State Highway 50’ (NZTA-2) as written.	Retain designation of ‘State Highway 50’ (NZTA-2) as written.

13.2.7 I consider that these submissions be accepted as it confirms that Waka Kotahi – NZ Transport Agency have reviewed the PDP documents and are satisfied that these designations have been identified correctly.

13.3 Recommendation:

13.3.1 For the reasons given above, it is recommended that the hearings panel recommend to Council:

- Recommend to Waka Kotahi New Zealand Transport Agency that it confirms Designations NZTA-1 & NZTA-2 be included in the Proposed Central Hawke’s Bay District Plan.

- Accept the submissions by NZTA – New Zealand Transport Agency (S78.040 and S78.041)

14.0 SPK – Spark New Zealand Trading Ltd

14.1 The CHBDC – PDP, as notified, included these designations

Takapau	
Designation Unique Identifier	SPK-1
Designation Purpose	Telecommunication and Radio Communication and Ancillary Purposes
Site identifier	581m ² in Lot 2 DP 21122, held in Record of Title HBM3/10 (Map 69)
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Secondary
Conditions	No
Additional Information	Rollover - formerly designation #182. Modifications proposed. One submission received.

Takapau Radio	
Designation Unique Identifier	SPK-2
Designation Purpose	Telecommunication and Radio Communication and Ancillary Purposes
Site identifier	1719m ² in Part Lot 1 DP 1925 and Defined on Survey Office Plan 5898, held in Record of Title HBM3-1326 (Map 26)
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Secondary
Conditions	No
Additional Information	Rollover - formerly designation #186. Modifications proposed. One submission received.

14.2 Analysis

14.2.1 Refer to section 5.0 above for an analysis on the above designations, as these are shared with the primary designations for Chorus NZ CNZ-5 and CNZ-6.

14.2.2 Submitters

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
SPK – Spark New Zealand Trading Ltd	S117.069	Chorus New Zealand Limited	Support	The Designations detailed in the Proposed Plan for Spark give effect to the Designation Rollover Notice of Requirement lodged, as well as the National Planning Standards. No changes are necessary.	Retain 'SPK – Spark New Zealand Trading Ltd' Designations [SPK – 1 and SPK -2] as notified.

SPK – Spark New Zealand Trading Ltd	S118.069	Spark New Zealand Trading Ltd	Support	The Designations detailed in the Proposed Plan for Spark give effect to the Designation Rollover Notice of Requirement lodged, as well as the National Planning Standards. No changes are necessary.	Retain 'SPK – Spark New Zealand Trading Ltd' Designations [SPK – 1 and SPK -2] as notified.
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14.2.3 At this stage I am unable to recommend that these submissions be accepted until further information is provided by Chorus NZ at or before the hearings.

14.1 Recommendation:

14.1.1 At the time of writing this report I am unable to make a recommendation to the Hearing's Panel in respect of the request to remove the conditions which apply to the designations in the operative plan and request that Spark NZ Trading Limited be present (or represented by Chorus NZ Ltd) at the hearing to provide evidence to further discuss:

- The effects of the removal of the conditions from the designations, including a comparison between the conditions and the performance standards required by the PDP and NES-TF.
- I am unable to make a recommendation on the submission by Chorus NZ Ltd (S117.069) until further information is provided at or before the hearing.
- I am unable to make a recommendation on the submission by Spark Trading Ltd (S118.069) until further information is provided at or before the hearing.

15.0 TPR – Transpower New Zealand Ltd

15.1 The CHBDC – PDP, as notified, included this designation

Waipawa Substation	
Designation Unique Identifier	TPR-1
Designation Purpose	Electricity Substation
Site identifier	1304 Ongaonga Road, Ongaonga (map 16) Section 1 Survey Office Plan 4163 Lot 1 DP 27676
Lapse Date	Given effect
Designation hierarchy under s77 of the RMA	Primary
Conditions	No
Additional Information	Rollover - formerly designation #172. One submission received.

15.2 Analysis

15.2.1 Transpower New Zealand Ltd have requested to rollover the existing designation, formerly identified as #172. This is an electricity substation, located on Ongaonga Road, east of the township of Ongaonga. No changes have been proposed and the electricity substation has been on this site for some time. I do not consider there to be any affected persons by the rollover of this designation and there are no occupied buildings in close proximity to the site of the designation.

15.2.2 There are no alternative locations suitable for assessment as the electricity substation is in place already. Any changes to the buildings and equipment on the site will be subject to assessment under the outline plan of works and will be subject to scrutiny under the PDP Network Utilities chapter and the National Environmental Standards for Telecommunications Facilities 2016.

15.2.3 I am satisfied that Council has enough information to support the rollover of this designation.

15.2.4 Submitters

Plan Provision	Submission Point	Submitter	Position	Summary of Reasons	Summary of Decision Requested
TPR – Transpower	S79.127	Transpower New Zealand Ltd	Support	Transpower support the rollover designation for the Electricity Substation on Ongaonga Road. The substation forms part of the National Grid and is essential infrastructure.	Retain TPR-1 (Electricity Substation) designation.

15.2.5 I consider that this submission be accepted as it confirms that Transpower New Zealand Ltd have reviewed the PDP documents and are satisfied that this designation has been identified correctly.

15.3 Recommendation:

15.3.1 For the reasons given above, it is recommended that the hearings panel recommend to Council:

- Recommend to Transpower New Zealand Ltd that it confirms Designation TPR-1 be included in the Proposed Central Hawke's Bay District Plan.
- Accept the submission by Transpower New Zealand Ltd (S79.127)

APPENDIX A

All designations to be rolled over without modification

Designation Unique Identifier	Name of Designation	Designation Purpose	Address
-	Local Roads	Local Roads (CHBDC)	All local roads
CHBDC-1	Abbotsford Domain	Reserve	88 High Street, Waipawa
CHBDC-2	A'deane Park	Reserve	2 Wallace Road, Waipukurau
CHBDC-3	Aramoana Esplanade Reserve	Reserve	Aramoana Beachfront
CHBDC-4	Argyll Hall	Community Hall	373 The Brow Road, Argyll
CHBDC-5	Ashley Clinton Cemetery	Cemetery	324 Mill Road, Ashley Clinton
CHBDC-6	Blackhead Beach Esplanade Reserve	Esplanade Reserve	22 McHardy Place, Blackhead Beach
CHBDC-8	Council offices and Civil Defence Emergency Management Operations	Council Offices and Civil Defence Emergency Management Operations	28-32 Ruataniwha Street, Waipawa
CHBDC-11	District Landfill	Landfill	Farm Road, Waipukurau
CHBDC-13	Elsthorpe Cemetery	Cemetery	2629 Kahuranaki Road, Elsthorpe
CHBDC-14	Elsthorpe Hall	Community Hall	7 Kenderdine Road, Elsthorpe
CHBDC-15	Elsthorpe Reserve	Reserve	Elsthorpe Road
CHBDC-16	Forest Gate Cemetery	Cemetery	82 Blackburn Road, Ongaonga
CHBDC-17	Forest Gate Domain	Reserve	1647 State Highway 50, Ongaonga
CHBDC-18	Hampden Cemetery	Cemetery	16 Holden Road, Tikokino
CHBDC-20	High Street Car Park Reserve	Reserve	29 High Street, Waipawa
CHBDC-21	Holt Porritt Reserves	Reserve	14 Holt Place, Waipukurau
CHBDC-22	Hunter Park Reserve	Water Storage	38A Nelson Street, Waipukurau
CHBDC-23	Kairakau Beachfront Reserve	Reserve	3 Kairakau Beach Road, Kairakau Beach
CHBDC-25	Kairakau Reserve	Reserve	21 Kairakau Beach Road, Kairakau Beach
CHBDC-26	Kairakau Toilet	Public Toilet	Kairakau Beach Road, Kairakau Beach

CHBDC-27	Kairakau Water Supply Intake and Reservoirs	Water supply intake and reservoirs	Kairakau Beach Road, Kairakau Beach
CHBDC-28	Kapiti Place Reserve	Reserve	5 Kapiti Place, Kairakau Beach
CHBDC-29	Loten Park	Reserve	38A Bibby Street, Waipawa
CHBDC-30	Mackie Street Reserve	Reserve	9A Mackie Street, Waipukurau
CHBDC-32	Makaretu Cemetery	Cemetery	127 Clinton-Makaretu Road, Makaretu
CHBDC-33	Mangakuri Reserve	Reserve	Okura Road, Mangakuri
CHBDC-38	Omakere Hall	Community Hall	2169 Purerere Road, Omakere
CHBDC-39	Ongaonga Hall	Community Hall	32-34 Bridge Street, Ongaonga
CHBDC-40	Ongaonga (closed) landfill	Closed Landfill	Corner Highway 50 & Blackburn Road
CHBDC-41	Ongaonga Museum	Reserve and Museum	85-87 Bridge Street, Ongaonga
CHBDC-42	Ongaonga War Memorial	Reserve and Memorial	1 Bridge Street, Ongaonga
CHBDC-43	Ōtāne Cemetery	Cemetery	720 State Highway 2, Ōtāne
CHBDC-44	Ōtāne old library and War Memorial	Memorial	32 Higginson Street, Ōtāne
CHBDC-47	Ōtāne Recreation Ground	Reserve	28 Rochfort Street, Ōtāne
CHBDC-48	Ōtāne Reservoir	Water Storage	828 State Highway 2, Ōtāne
CHBDC-49	Ōtāne Sewage Treatment Plant	Sewage Treatment and Oxidation Pond	56 Lawrence Street, Ōtāne
CHBDC-50	Ōtāne Town Hall and Reserve	Community Hall	27-29 Higginson Street, Ōtāne
CHBDC-51	Otawhao Hall	Community Hall	258 School Road, Otawhao
CHBDC-52	Ouepoto Beach Domain	Reserve	689 Gibraltar Road, Aramoana Beach
CHBDC-54	Paul Hunter Memorial Park	Reserve	38A Nelson Street, Waipukurau
CHBDC-55	Pioneer Corner	Reserve	Corner Mt Herbert Road and Tavistock Place, Waipukurau
CHBDC-56	Porangahau and Te Paerahi Pumping Station and Treatment Plant	Water Pumping Station and Treatment Plant	425A-B Beach Road, Te Paerahi
CHBDC-57	Porangahau Cemetery	Cemetery	31 Keppel Street, Porangahau

CHBDC-58	Porangahau (closed) landfill	Closed Landfill	-
CHBDC-60	Porangahau Reservoir	Water Storage	902 Old Hill Road, Porangahau
CHBDC-61	Porangahau River Reserve	Reserve	South Side of Porangahau River
CHBDC-62	Porangahau Sewage Treatment Plant	Sewage treatment and oxidation pond	2 Jones Street, Porangahau
CHBDC-63	Porangahau Transfer Station	Transfer Station	Porangahau Road, Porangahau
CHBDC-64	Pourerere Domain	Reserve	Pourerere Beach Road, Pourerere
CHBDC-65	Pourerere Water Supply Intake	Water Supply Intake	Pourerere Domain
CHBDC-66	Pourerere Water Supply Source and Tanks	Water supply source and storage	182 Gibraltar Road, Pourerere
CHBDC-68	Public Parking	Public Parking	Kitchener Street, Waipukurau
CHBDC-69	Redwood Drive Reserve	Reserve	1 Redwood Drive, Waipukurau
CHBDC-71	Ruataniwha Memorial	Memorial	6 Swamp Road, Waipawa
CHBDC-73	Russell Park	Reserve	10 River Terrace, Waipukurau
CHBDC-76	Takapau Cemetery	Cemetery	4456 State Highway 2, Takapau
CHBDC-77	Takapau Hall	Community Hall	41 Charlotte Street, Takapau
CHBDC-78	Takapau Recreation Grounds	Reserve	Corner of Charlotte Street and Oruwharo Road, Takapau
CHBDC-79	Takapau Reserve and Cenotaph	Reserve and Memorial	34-36 Charlotte Street, Takapau
CHBDC-80	Takapau Reservoir and Pumping Station	Water Storage and Pumping Station	4344 State Highway 2, Takapau
CHBDC-82	Takapau Sewage Treatment Plant	Treatment Plant and Oxidation Pond	53 Burnside Road, Takapau
CHBDC-85	Tamumu (closed) landfill	Closed landfill	Corner River and Pourerere Roads, Patangata
CHBDC-86	Te Paerahi Beachfront Reserve	Reserve	47 Beach Road, Te Paerahi
CHBDC-87	Te Paerahi Esplanade Reserve North	Reserve	Te Paerahi Beach
CHBDC-88	Te Paerahi Esplanade Reserve South	Reserve	Te Paerahi Beach

CHBDC-89	Te Paerahi Reserve	Reserve	36 Te Paerahi Road, Te Paerahi
CHBDC-90	Te Paerahi Sewage Treatment Plant	Sewage treatment and oxidation pond	36 Te Paerahi Road, Te Paerahi
CHBDC-91	The Green Patch (Post Office Corner)	Reserve and Car Park	39-41 Ruataniwha Street, Waipukurau
CHBDC-92	Tikokino Cemetery	Cemetery	15 Cemetery Road, Tikokino
CHBDC-93	Tikokino (Closed) Landfill	Closed landfill	Holden Road
CHBDC-94	Tikokino Hall and War Memorial	Community Hall and Memorial	7 Owen Street, Tikokino
CHBDC-95	Waikareo Bush Reserve	Reserve	2413 Porangahau Road, Wanstead
CHBDC-96	Waipawa Cemetery (including Central Hawke's Bay Cemetery)	Cemetery	31 Cemetery Road, Waipawa
CHBDC-98	Waipawa Reservoir and Pumping Station	Water Storage and pumping station	44A Abbotsford Road, Waipawa
CHBDC-99	Waipawa Sewage Treatment Plant	Sewage Treatment and Oxidation Pond	142 Pourerere Road, Waipawa
CHBDC-100	Waipawa Transfer Station and (Closed) Landfill	Transfer Station and Closed Landfill	Tikokino Road, Waipawa
CHBDC-101	Waipawa War Memorial	War Memorial	84 High Street, Waipawa
CHBDC-102	Waipawa Water Supply Intake, Pumping Station and Treatment Plant	Water Supply Intake, Pumping Station and Treatment Plant	339 Tikokino Road, Waipawa
CHBDC-103	Waipukurau Cemetery	Cemetery	166 Porangahau Road, Waipukurau
CHBDC-104	Waipukurau Civic Theatre	Civic Theatre	14 Northumberland Street, Waipukurau
CHBDC-105	Waipukurau (Closed) Landfill	Closed Landfill	177 Mt Herbert Road, Waipukurau
CHBDC-107	Waipukurau Sewage Treatment Plant	Sewage Treatment and oxidation ponds	177 Mt Herbert Road, Waipukurau
CHBDC-108	Waipukurau Transfer Station	Transfer Station	Mt Herbert Road, Waipukurau
CHBDC-111	Wallingford Hall	Community Hall	22 Bush Road, Wallingford
CHBDC-112	Wallingford Rest Area	Reserve	292 Porangahau Road, Wallingford
CHBDC-113	White Domain	Reserve	41 Dundas Street, Porangahau

HBRC-1	Ben Nevis Rainfall Station	Rainfall Station	927 Bush Road, Wallingford
HBRC-2	Glenwood Rainfall Station	Rainfall Station	Waipawa River, end of North Block Road
HBRC-3	GWAVAS Forest Rainfall Station	Rainfall Station	701 Gwavas Road, Tikokino
HBRC-4	Makara Dam 1	Flood detention dam and ponding area	89 Te Apiti Road, Kairakau. NZTM Ref: E1931190, N5574630
HBRC-5	Makara Dam 4	Flood detention dam and ponding area	485 Kairakau Road, Elsthorpe. NZTM: Red: E1929535, N5573980
HBRC-6	Makara Dam 11	Flood detention dam and ponding area	298 Atua Road, Patangata. NZTM Ref: E1924430, N5569555
HBRC-7	Makara Dam 13A	Flood detention dam and ponding area	706 Atua Road, Patangata. NZTM Ref: E1925120, N5568160
HBRC-8	Makara Dam 15	Flood detention dam and ponding area	459 Atua Road, Patangata. NZTM Ref: E1926630, N5571180
HBRC-9	Makaroro River (Burnt Bridge) Water Level Station	Water level station	Burnt Bridge, Makaroro River, Wakarara Road.
HBRC-10	Shag Rock Rainfall and Water Level Station	Rainfall and water level station	Tukituki River, 41 Hautope Road.
HBRC-11	Tapairu Road Rainfall and Water Level Station	Rainfall and water level station	Tukituki River, 265 Tapairu Road.
HBRC-12	Tukipo River Rainfall and Water Level Station	Rainfall and water level station.	Tukipo River, 2506 State Highway 50.
HBRC-13	Tukituki River (Folgers) Water Level Station	Water level station	1086 Tukituki Road, Ashley Clinton.
HBRC-14	Waipawa River Water Level Station	Water level station	43 Tikokino Road, Waipawa
HBRC-15	Wallingford Station Rainfall and Water Level Station	Rainfall and water level station	Taurekaitai River, 2914 Porangahau Road, Wallingford

APPENDIX B

Summary of Recommended Responses to Submissions and Further Submissions

Table: Summary of Recommended Responses to Submissions and Further Submissions

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S20.001	Alan Delugar	CHBDC - Central Hawke's Bay District Council	Reduce the volume of water (in relation to Bush Drain CHBDC-7)	Reject	No
S73.040	Ministry of Education	MEDU - Minister of Education	Amend MEDU-5 (Omakere School) as follows: Omakere School Designation unique identifier MEDU-5 Designation purpose Education Purposes Site identifier 46 Long Range Road, Omakere (Map 28) Section 2 Block II Pourerere SD ...	Accept	Yes
S73.041	Ministry of Education	MEDU - Minister of Education	Amend designation boundary for MEDU-5 (Omakere School) - refer map in original submission.	Accept	Yes
S78.040	Waka Kotahi NZ Transport Agency	NZTA - New Zealand Transport Agency	Retain designation of 'State Highway 2' (NZTA-1) as written.	Accept	No
S78.041	Waka Kotahi NZ Transport Agency	NZTA - New Zealand Transport Agency	Retain designation of 'State Highway 50' (NZTA-2) as written.	Accept	No
S78.042	Waka Kotahi NZ Transport Agency	MAPS	Amend designation shapefile of 'NZTA-1' to match local authority boundaries and actual road parcels, as identified [refer full submission for detail].	Awaiting recommendation	

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S78.043	Waka Kotahi NZ Transport Agency	MAPS	Amend designation shapefile for 'NZTA-2' to provide 5m offset from edge of bridge and to match actual road parcel, as identified [refer full submission for detail].	Awaiting recommendation	
S79.127	Transpower New Zealand Ltd	TPR - Transpower	Retain TPR-1 (Electricity Substation) designation.	Accept	No
S117.068	Chorus New Zealand Limited	CNZ- Chorus New Zealand Limited	Retain 'CNZ - Chorus New Zealand Limited' designations [CNZ-1 to CNZ-11] as notified.	Awaiting recommendation	
FS9.496	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Awaiting recommendation	
S117.069	Chorus New Zealand Limited	SPK - Spark New Zealand Trading Ltd	Retain 'SPK - Spark New Zealand Trading Ltd' designations [SPK-1 and SPK-2] as notified.	Awaiting recommendation	
FS9.497	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Awaiting recommendation	
S118.068	Spark New Zealand Trading Limited	CNZ- Chorus New Zealand Limited	Retain 'CNZ - Chorus New Zealand Limited' designations [CNZ-1 to CNZ-11] as notified.	Awaiting recommendation	
S118.069	Spark New Zealand Trading Limited	SPK - Spark New Zealand Trading Ltd	Retain 'SPK - Spark New Zealand Trading Ltd' designations [SPK-1 and SPK-2] as notified.	Awaiting recommendation	
S120.026	Heretaunga Tamatea Settlement Trust	CHBDC - Central Hawke's Bay District Council	Retain designation 'CHBDC-72 - Ruataniwha Water Storage Scheme Distribution System'.	Accept	Yes
S120.027	Heretaunga Tamatea Settlement Trust	MEDU - Minister of Education	Retain designation 'MEDU-13 - Te Aute College'.	Accept	Yes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS11.016	The Ministry of Education		Allow	Accept	Yes